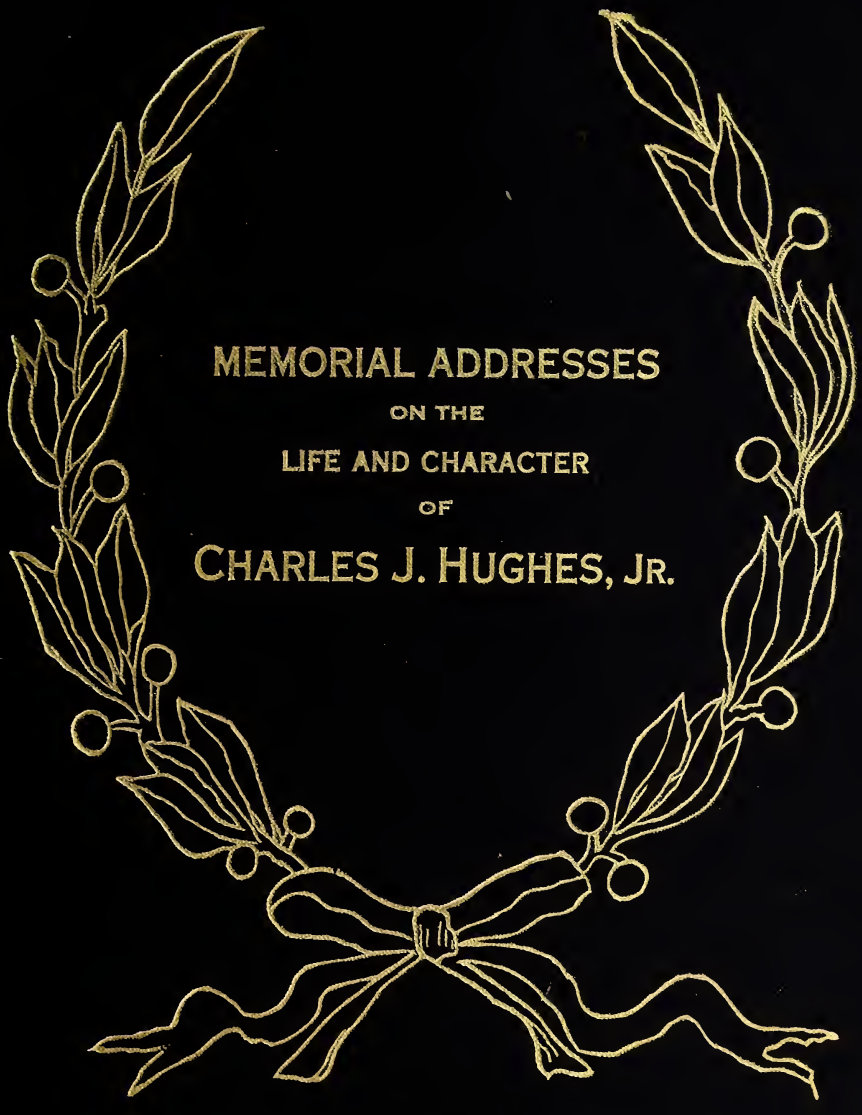
MEMORIAL ADDRESSES
ON THE
LIFE AND CHARACTER
OF
CHARLES J. HUGHES, JR.

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FLARE

HON. CHARLES J. HUGHES JP.

# CHARLES J. HUGHES, JR.

(Late a Senator from Colorado)

## MEMORIAL ADDRESSES

DELIVERED IN THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES

SIXTY-FIRST CONGRESS
THIRD SESSION

Proceedings in the Senate
February 11, 1911

Proceedings in the House
February 12, 1911

COMPILED UNDER THE DIRECTION OF
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# DEATH OF HON. CHARLES J. HUGHES, JR.

PROCEEDINGS IN THE SENATE

THURSDAY, *January 12, 1911.*

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, who art the confidence of all flesh, we take refuge in Thee who hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God. But as for man, Thou hast made his days as a handbreadth and all our goodliness is as the flower of the field. And now, O Lord, where is our help but in Thee? Thou knowest our frame, seeing it is Thou who hast made us and not we ourselves. Therefore will we not fear. Though Thou dost cause us to walk through the valley of the shadow of death we will fear no evil. The rod of Thy righteousness and the staff of Thy faithfulness, they comfort us.

Be with us now, our Father, in our sad bereavement. Comfort Thou us as Thou alone canst comfort Thy children, and consecrate to us the experiences through which Thou hast called us to pass.

And now may God, our Father, who hast loved us and hast given us eternal comfort and good hope through grace, comfort our hearts and establish them before Him, now and for evermore. Amen.

Mr. GUGGENHEIM. Mr. President, it becomes my painful duty to announce to the Senate the death of my colleague, the Hon. CHARLES J. HUGHES, Jr.

Enfeebled by the arduous duties incident upon the last two sessions of Congress, Senator HUGHES returned to Colorado in the summer confident of regaining his strength and health, and later hoped to benefit by a voyage made on the Pacific. He returned to his home elated in spirit, apparently improved in health, and looked forward with pleasant anticipation to resuming his place in the Senate this winter.

The improvement was transitory only, however, and after a manful fight he passed away at his home in Denver yesterday morning.

At some future time I shall ask that a day be appointed when the Senate may pay fitting tribute to his memory.

Before offering the following resolutions and asking for their present consideration, I wish to add that the family of the late Senator HUGHES were consulted yesterday by wire in reference to having a committee from the Senate go to Denver to attend the funeral ceremonies. They replied that the funeral will take place to-morrow afternoon, and the time is so short that they would not ask that a committee be sent to Denver.

The VICE PRESIDENT. The Senator from Colorado offers the following resolutions, which will be read.

The Secretary read the resolutions, and they were considered by unanimous consent and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of the Hon. CHARLES J. HUGHES, Jr., late a Senator from the State of Colorado.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. GUGGENHEIM. Mr. President, as a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 13, 1911, at 12 o'clock meridian.

JANUARY 23, 1911.

Mr. SCOTT. Mr. President, on behalf of myself and the Senator from Colorado [Mr. Guggenheim] I desire to give notice that on Saturday, February 11, at half past 2 o'clock in the afternoon, I shall ask the Senate to consider resolutions in memory of the late Senator Elkins, of West Virginia, and the late Senator HUGHES, of Colorado.

SATURDAY, *February 11, 1911.*

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, whom alike the living and the dead praise, we thank Thee for this day of reverent memory and of tender recollection. We thank Thee, who art the giver of every good gift and of every perfect boon, for the lives and services of those whom our lips shall this day name. It is hard to yield up those who have labored by our side and have shared our councils. As they stand again before us in memory and again live in our hearts, teach our tongues fit words to utter our sense of loss and to voice our unchanged devotion. Sanctify to us, we implore Thee, the services of this day, and make us worthy of the fellowship of those who in newness of life dwell with Thee in Thy heavenly kingdom. Join our hearts with theirs, and unite our spirits with the faith-

ful and true, there and here, in one light of faith, one beauty of holiness, one repose on Thee.

And unto Thee, our Father, who has loved us and hast given us eternal comfort and good hope through grace, will we ascribe praise now and for evermore. Amen.

Mr. GUGGENHEIM. Mr. President, pursuant to the notice I gave the Senate a few days ago, I submit the following resolutions and ask for their adoption.

The PRESIDING OFFICER (Mr. Curtis in the chair). The Secretary will read the resolutions submitted by the Senator from Colorado.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved,* That the Senate has heard with profound sorrow of the death of the Hon. CHARLES J. HUGHES, Jr., late a Senator from the State of Colorado.

*Resolved,* That as a mark of respect to the memory of the deceased Senator the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

*Resolved,* That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

# MEMORIAL ADDRESSES

## Address of Mr. Guggenheim, of Colorado

Mr. President: It is with profound sorrow that I appear on this occasion, not alone on account of the individual loss to Colorado, sustained in the death of my late colleague, but also that the painful bereavements of this body during the sessions of the present Congress have been augmented by his departure.

Charles James Hughes, Jr., was born in Kingston, Caldwell County, Mo., February 16, 1853, and died in Denver, Colo., January 11, 1911. Birth and death define the extremes of life, but it is the filling in of the years that counts—that really interpret life and its profound meaning.

In the early career of Senator Hughes there were busy years of earnest preparation for life and its activities. In the home and school and in every situation during those formative years he brought to bear the faithful study and intense application which were the marked characteristics of his later life.

If heredity counted for anything, there was transmitted to him from a lawyer father and legal family affiliations a distinct call toward the profession of the law, and in choosing it he made no mistake.

Removing to Denver in 1879, he began a law practice which was immediately lucrative, and he was recognized as a safe, reliable counselor from the start. It was a time, too, when mining and irrigation laws then in vogue, and many of them formulated as exigencies required, were being tested to the uttermost. This situation appealed to the young attorney, who was never so much

at home, never so profoundly absorbed in the elemental traits of his intellect, as when called to interpret the most difficult legal problems presented to him; and as he progressed in his practice he manifested his powers of persistence, his depth of learning, and his eloquent ability at the bar.

Never once was his honor and legal judgment doubted by his clients.

He was a great lawyer, by intuitive processes as well as by deep and thorough study, and never so happy as when untangling intricate phases of the law in the courts and before classes of university students, in whom he always manifested great interest. He was recognized as a prodigious worker, and so well were his labors classified that the experts and clerks in his office found themselves in an atmosphere of industry, of research, and study that called forth the same qualities of application and effort that were so marked in him. Midnight and daylight found him at work, shirking no duty, and never requiring of others the labor he imposed upon himself.

The conservation interests of Colorado and the great West were studied by him from the foundation up, no feature for or against being hastily assumed, and when made clear and just to himself, then nothing could interfere with his emphatic declarations concerning them.

In politics he was an old-time Democrat, believing in his party and in the ability of the party to build itself into power and permanency from within and on the basis of distinguished precedence, rather than through the agency of numerous and complicated systems of expediency.

The tariff was studied by him in its closest details. For many years he had familiarized himself with great political problems, national and international, with the same deep study which he gave to every local problem affecting his own State of Colorado.

There had been a dream in his consciousness, an ideal toward which he walked, with fine appreciation of its large demands and thorough readiness for its realization—a place among "the seats of the mighty." He came to it steadily, studiously, and unwaveringly. And when he leaped into sudden fame in the United States Senate it was through the mastery of his splendid intellect and training.

But if he came as a surprise to this body, it was not a surprise to his own people. Colorado had taken measure of his mental stature and knew thoroughly his splendid equipment for the place. Proud of the quick recognition accorded him, there was still a larger fulfillment awaiting him.

It is unspeakably strange how a beautiful dream can be realized and how that dream can be so mysteriously shattered—the magnificent preparation to live becoming the magnificent preparation to die.

To the United States Senate this intricate, unsolvable problem has been brought with startling significance. Colorado mourns the Nation's losses and mourns her own loss, and yet no one of us has seen the hand that opened the door for one and another of our honored membership when the silent call came for them to go. The State of Colorado mourns the death of her exalted citizen. She watched with profit, as well as pleasure, the daily growing of a gifted mind, from promise to fruition; from the beginning of a career, marked by ceaseless effort, devotion to study, and loyalty to principle, to the time when the rich experience of such a life has been garnered with distinguished results. The highest place is none too high for such a life. This was predicated of Charles J. Hughes, Jr., for many years. He idolized his profession. It yielded its secrets to him, keeping nothing back. He venerated the principles of right and justice as embodied in the law

and in the Constitution of the United States. Ceaseless and difficult mental work requires almost herculean physical strength. Those who knew him best in Colorado welcomed for him a change of scene and application, hoping he would, as a duty he owed to himself and family, take his new obligations less laboriously and give a personal and justifiable interest to the conservation of his own physical resources, looking to a complete restoration of his health, that he might render larger services to his State and Nation in the future. But the habits of a lifetime, with a restless brain and burning desire to accomplish what he had in view, in his enlarged horizon, were not to be thrust aside.

Senator HUGHES worked as if he wrought for eternity and could not understand human and time limits as applied to his own physical constitution and welfare. Work was his life, and the fierce problems that were slaying his colleagues all about him seemed to be but voices demanding increased energy from him, even when he knew, and those nearest him knew, that he was encroaching upon the reserve forces of his being.

Colorado has lost a distinguished citizen. He died young, if we count it by years; if by achievement, his was a long life, compact with purpose, effort, and realization.

The Nation has lost a leader, a safe guide, a statesman.

The lines of the poet Tennyson, it seems to me, fittingly exemplify his life:

For can I doubt, who knew thee keen
  In intellect, with force and skill
  To strive, to fashion, to fulfill—
I doubt not what thou wouldst have been:

A life in civic action warm,
  A soul on highest mission sent,
  A potent voice of Parliament,
A pillar steadfast in the storm.

## Address of Mr. Stone, of Missouri

Mr. President: I have been asked to speak a word of tribute to the memory of Charles James Hughes, Jr. My acquaintance with him dates as far back, perhaps, as 20 years; but, while I came to know him well, I never knew him intimately. Our meetings were too seldom and our association too casual to admit of intimacy. That he was born and reared in Missouri; that he was educated in that State and there began his career, were the circumstances that first attracted him to me. Later, and as I came to know him better, I was attracted by his great personal qualities. While yet a young man, and at the very beginning of his professional activities, he moved to Colorado and located at Denver, the capital and metropolis of the Centennial State. There for more than 30 years he lived and wrought. His environment gave tone and color to his thought, and all the wondrous things about him spurred his ambition and added zest to his work. There was to him a charm and inspiration in the great, towering mountains that stood as a majestic background to his home. Who has ever been in Denver and watched the red sun fall behind the high-lifted hills which rise just beyond the city's gilded spires who did not feel profoundly impressed by the wonderful beauty and semi-solemnity of the scene? To any man of refined intellectuality and with sentiment enough to respond to nature's wooing there is always to be found in rugged mountain scenery an influence both impressive and ennobling. Winged spirits dwell on mountain heights, and from the crest of lofty peaks inspiring voices call. These spirits stir high-minded men with the fire and passion of great

ambitions and these voices call from on high to human souls to climb. With these spirits young HUGHES held companionship and to these voices he gave instant and joyous answer. He became a climber and also perforce became the architect of his own fortune. A brave heart and a strong, normal mentality constituted his first capital. With these he constructed his life work, and we know that he builded wisely and well. Harkening to the call that came down to him from above, he was always climbing, climbing higher, ever higher. With character foundations deep-laid and solid and with moral fiber close-knit and strong, it is no wonder he knew that each year's finished work would stand the white heat of any test; and it was only natural that this knowledge afforded him an ever-present encouragement to advance without fear, always striving for greater and better things. And what of his work—what did he accomplish? Mr. President, when we behold a great life snuffed out by the tragedy of death, and when, looking backward, we seek to measure the worth of the stricken man, what takes first place in the sum of our estimate? There are three things—his individual character, his home life, and his conduct as a citizen—a trinity that might well be merged into one. These three things come first, and as to these the example set by Senator HUGHES is so conspicuous as to deserve universal admiration. I would not say that his daily life—his incoming and outgoing—was in all respects above criticism, for only one wholly blameless ever trod the earth; but I will say that the private life of Senator HUGHES was on lines so elevated and altogether so clean, sincere, and true as to afford little ground even to the most querulous for reproach. His body, impaired by affliction, was weak, but his character was rugged and strong. He could no more be moved from what he believed was right or moved to do what he believed was

wrong than you or I could move the eternal mountains he loved so well. Mr. President, it has been well said that home life furnishes the finest test of those high qualities which make up a thorough gentleman. Senator Hughes's home life, characterized by refinement and gentle courtesy, was ideal. Above his hearthstone love was regnant and with soft hand wielded there his royal scepter, bringing all hearts under the sweet influences of his sway. This home life of Senator Hughes illustrated in a beautiful way the simple life of all cultured American gentlemen.

Mr. President, it was almost impossible that a man so constituted and trained as this dead Senator could have been other than a model citizen. He was a model citizen. In every work intended to promote the welfare of his city or State he fully performed his part, never shrinking from the call of duty. If a man be brave, faithful, and honest; if he fills his home with sunshine and love; if he is kind to the poor, gentle to the afflicted, a good neighbor, and a loyal friend; if he is a leader in public enterprise and an exemplar of civic duty—if, in short, he embodies all these virtues in some large measure, then there is indeed "a combination and form where every god doth seem to set his seal to give the world assurance of a man." Senator Hughes was of this type. It should be eulogy enough when that can be truthfully spoken of any man. But Hughes also wrought in other ways, and did things the world calls great. He rose to high professional eminence. In the judicial forum—a forum wherein the best-trained gladiators clash—he ranked among the foremost. When I say that he was reckoned among the great lawyers of America I will not offend by adding that he was at the very head of the Colorado bar, a bar recognized as one of the ablest in the Union. Mr. President, I can not conceive of a more enviable distinction

than that of being deservedly recognized as among the great lawyers of the country. How easy it would be for me to name a select company of immortals whose fame is chiefly associated with the law and courts of justice; and, laying down the burden of an arduous life, what greater honor could come to any man than to occupy a niche in the temple consecrated to that illustrious company?

While Senator HUGHES possessed great abilities remarkably well adapted to public work, he had but little experience in that service. This was of his own choosing, for more than once he was offered positions of the highest distinction in his State. He seemed wedded to the law and unwilling to worship at any shrine save the one sacred to that blind goddess in whose hand is held the even scales of justice. The office of Senator, to which he was elected two years ago, and which he filled at the date of his death, was the only public station of any moment he ever occupied. His service here, although lamentably brief, was so exceptionally distinguished as to give great promise of a brilliant future. No man ever rose with greater rapidity or on more substantial merit to a commanding place in this great assembly. He was not here beyond a single session until his forcefulness was recognized and his power felt. Still climbing, as he climbed when life was young and limb was lithe, he was here fast rising to a place of such well-deserved leadership that none could dispute it. The door of opportunity was opening to him for the performance of great services of signal value to his country. Oh, how pitiful that he should fall just as the sun began to shine with smiling face upon a great future for him! Mr. President, it is said that every cloud hath a silver lining. I believe there was never a regret so profound that there was not somewhere in the gloom a comforting spirit—no sorrow ever so acute and hopeless that some solacing thought did not

creep in to soothe the anguish of the heart. Missouri mourns for HUGHES, but finds a comforting pride in the thought that she gave this great son of hers to Colorado. Colorado mourns for HUGHES, but finds an uplifting solace in the thought that all his great qualities as citizen, lawyer, and statesman were matured within her borders and are a part of her heritage.

Here, Mr. President, I would close this imperfect tribute, except that in the circumstances of this hour I can not forbear digressing far enough to speak a kindly word or two of my old friend Stephen B. Elkins. Although not born in Missouri, that State was his home from early childhood to mature manhood. There was one striking bond of sympathy and affection between Senators Elkins and HUGHES and myself. All of us were educated at the University of Missouri, and every university man knows how the heart clings to the old school and to everything and everybody connected with it. The university authorities had voted to confer the LL. D. degree upon Senator Elkins, and it was expected that the ceremony would occur last June. But, as you know, his legislative duties at that time were so imperative and urgent that it was wholly impracticable for him to absent himself from Washington. I know this was a great disappointment to him, and he often spoke to me of the next university commencement, which he confidently expected to attend, and to which he looked forward with anticipations of a most pleasurable occasion. I had promised to be present and introduce him when the time came to confer his degree. I knew Senator Elkins well, and held him in most affectionate esteem. Besides being a man of exceptional ability, energy, and force, he was one of the most lovable men I ever knew. When I parted from him at the close of Congress last summer, I little dreamed it was the last time I would

see the light of his kindly eye and feel the pressure of his hand. It is a sad disappointment to me that we shall not meet next summer, as we had planned, amid the familiar and classic environments of our old university.

Mr. President, Missouri has a right to participate in the obsequies of to-day, and to share with West Virginia and Colorado in paying tribute to the dead statesmen in whose memory these solemn ceremonies are held. I speak here in a dual capacity, for myself and for my State. In speaking for myself I speak as a friend who has suffered a grievous personal loss; in speaking for the State I speak as for a mother who, while weeping at the bier of her dead sons, feels her heart glow with honest pride that she gave such splendid types of American manhood to her sister States and to the world.

## Address of Mr. Clark, of Wyoming

Mr. President: For months past the grim and unrelenting archer has stood as sentinel in almost constant attendance upon the doors of this Chamber. His shafts have been thrown with swift, with frequent, and with deadly aim. He has spared neither locality, youth, age, nor activity in service—the North and the South, the East and the West have alike draped their desks in this Senate, and every section has been called upon to mourn its worthy sons. To-day Colorado is joined by her sister States in paying just tribute to the life and character and public services of one who had become bone of her bone and flesh of her flesh; one whose manhood had entered into her history and success, and whom she had honored with the highest political station that was hers to give.

Charles J. Hughes, Jr., was, to all intents and purposes, a product of the mountain west; clean of purpose, direct of thought and of action, he was in the highest degree typical of that race of men who have carved sovereign States out of inhospitable wastes, and have stamped the hall mark of the highest American manhood upon our newer Commonwealths. Born in the Middle West, acquiring his education and profession under the conditions of moderate circumstances and the self-denials and self-helps characteristic of our best American life; with a mental equipment and a strength of character that was to carry him far ere "finis" should be inscribed upon his work, he early turned his eyes and thoughts to our everlasting hills and cast his hopes and his fortunes into the

lap and life of the "Centennial State." A lawyer by nature and education, he there entered at once upon the active practice of his profession. His field of labor opened up for him new and unsettled branches of the law, where precedents were few and of little avail. Only in comparatively recent years has mining law become in any sense settled, and irrigation law is of still later date; in both of these important fields Senator HUGHES was a pioneer, and, at the last, a specialist. He delighted in wrestling with the new and untried problems, and to him, as much as to any other one man, is due the credit of working over the crude material at hand into a line of decisions along both branches that welds them into well-settled and logical law. Not content with the ordinary work and results incident to the particular cases at hand, his lectures in the eastern law schools and universities marked him as authority of the highest class in these two most important specialties of the law; and, all in all, the bar of the entire West gladly gave him place among the really first-class lawyers of his time.

To those who knew him well his election as Senator brought the greatest satisfaction. He brought to the duties of that high office a personal character above reproach, a mind alert, keen, and courageous, and a modest self-confidence that itself insured a useful and successful career in this body. His services as a Senator were all too brief, but in the little time that he was here his energy, his faithfulness to his constituency, and the vigorous ease with which his trained mind grasped great public questions gave promise of a great and worthy service and emphasized the great loss the country sustains by his untimely end; and while his short term here precludes the possibility of the greatest legislative fame, those who knew him best, who enjoyed his close personal friendship, and correctly estimated his attainments know

that had his life been spared he would have been of inestimable service to his country in these and the coming days of change and vicissitude in governmental problems, and would have written his name far up in the roll of those who in this great body have earned and received, and shall earn and receive, high honor and the thanks of a just and grateful people.

Senator Hughes was a man who always had, in political as well as in other affairs, the courage of his convictions. A party man, he placed patriotism above party. A Democrat of the old school, he was ever jealous of the rights of his State and suspicious of all attempted Federal encroachment. He believed fully in the restrictions of the Constitution and in the theory that this is a government of law and not a government of men, and these views, honestly held and freely expressed at critical times and on all necessary occasions, endeared him in the highest degree to the people whose commission he bore. Colorado gave him much of honor, but more of confidence and love. He was one of those who made her what she is and who gave in the making to the fullest extent his talent, his energy, and his loyal service, and in the history of that Commonwealth among all the great names that shall shine along its pages by no means the least shall be that of Charles J. Hughes, Jr.

## Address of Mr. Warren, of Wyoming

Mr. President:

> Leaves have their time to fall,
> And flowers to wither with the north wind's breath;
> But thou! thou has't all seasons for thine own, O death!

How sadly true the history of this body for the Sixty-first Congress has shown this line of the poet. Reviewing this history we may well pause in our busy deliberations and give thought to the mutability of human life and human institutions. Many times death has come into our ranks during the period so far passed of the Sixty-first Congress and taken acquaintance or friend from us.

When we read the death roll of the session, what distinguished and loved forms are called to our thought and remembrance—Senators with whom we worked day after day, month after month, or year after year, in committee or on the floor of the Senate, some in friendly cooperation and some in friendly rivalry.

This is the long list of our distinguished colleagues who have been taken from us during this Congress:

Martin N. Johnson, October 21, 1909.
Anselm J. McLauren, December 22, 1909.
Samuel D. McEnery, June 28, 1910.
John W. Daniel, June 29, 1910.
Jonathan P. Dolliver, October 15, 1910.
Alexander S. Clay, November 13, 1910.
Stephen B. Elkins, January 4, 1911.
Charles J. Hughes, Jr., January 11, 1911.
Eight in all within less than fifteen months.

To the memory of the last named it is my sad duty to join with other Senators in placing testimonials in our records to his recognized brilliant accomplishments and abilities.

The life story of Charles James Hughes, Jr., is one that tells of toil—hard, constant, unremitting toil—with one predominating object in view, thorough mastery of the subject or task before him. When death claimed him he was young in years, but old in results. In the 58 years of his life he had accomplished much.

Briefly stated, this was his life: He was born in Kingston, Caldwell County, Mo., on February 16, 1853, the son of Charles James and Cerena C. Pollard Hughes. His ancestors were Kentucky pioneers who came from Virginia.

Senator Hughes was a graduate of Richmond (Mo.) College in the class of 1871, and was a student of the University of Missouri in 1872–73. He received a degree of doctor of laws from both the University of Missouri and the University of Denver. After his graduation he supplemented his collegiate education by studies in higher mathematics, languages, political economy, and sciences useful in his legal practice, including engineering, chemistry, geology, ore deposition, irrigation, and hydraulic engineering. He accumulated one of the most complete private libraries in the country bearing upon these and kindred subjects.

After being graduated from college he spent five years in teaching in the public schools and as a college professor. In September, 1874, he was married to Lucy S. Menefee, and in August, 1877, he began the practice of law, locating in Denver in 1879. As a lawyer he was successful from the beginning, his thorough study and preparation having given him a perfect equipment for practicing his profession.

He built up an extensive practice, not limited to any field or class of clients, and embracing all save criminal law, which he avoided whenever possible.

The ability of CHARLES J. HUGHES as a lawyer was known throughout the business world of the West and East, for he was engaged in conducting much of the important litigation relating to mining, irrigation, and other questions arising out of the formative and constructive period in the history of a new country and new States. Few great mining or irrigation suits in the Middle West have been tried in which he was not a participant as leading counsel. He was successful in the decision of many of these suits in their final settlement before the Supreme Court of the United States, and he admittedly stood with those occupying the front rank in his profession.

Before his election to the United States Senate on January 20, 1909, Senator HUGHES held no political office save that of membership on the State board of capitol managers, which had charge of building the Colorado State Capitol. Twice the nomination for governor of Colorado had been tendered him by the Democratic Party, but each time had been declined. He was on his party's ticket as a presidential elector for Colorado in 1888 when he with his party was defeated; he was elected a Democratic presidential elector from his State in 1900, and defeated for the same position in 1904. He was a delegate to the Democratic National Conventions of 1904 and 1908.

His election to the United States Senate in 1909 followed an indorsement of him by the State Democratic Convention in September, 1908.

Senator HUGHES throughout his career as a lawyer had high political ideals. He twice declined the nomination for the governorship of his State, for his gaze was fixed

on what he thought a higher station in the political world. That this was so was shown in his speech of acceptance upon his election to the Senate, when he said:

> When there comes to us, as there comes seldom and to so few, the realization of the loftiest dreams of our imagination, hope, and ambition, we find that the feeble words of our language, the faltering utterances of our tongues, can neither respond in thanks nor in promises.

Thus we see that in the struggle for preeminence and success in his profession, Senator Hughes was hoping and dreaming that the future held in store for him a place in this body. And in the busy moments of his life work his recreation was study and research in philosophy, political economy, and history, in order that when his time came, as he surely believed it would, he would be prepared to take his place among the old and trained Members of the Senate and be able to take creditable part in the proceedings without having to serve the apprenticeship which many believe incumbent upon them.

How wisely he builded we who heard him speak during his too brief service with us can testify. How efficient and practical he was as a working member of the committees to which he was assigned, those who were associated with him on these committees well know. He was both a power in debate and a useful committee worker, a combination, as we know, somewhat unusual.

But how brief the fruition of his hopes; how futile the years of preparation to do well his part in the work for which he dreamed. The activity of his mind was too great a tax upon the resisting powers of a not too strong physical organization, and the years of mental toil and strain told, with fatal effect, upon his bodily strength.

Perhaps he had a premonition of this, for when he was elected to the Senate he said:

> I hope to slacken the pace of work and effort I have held for years, and believe that in doing so I shall be able to render better service to the State and improve the quality of any professional labors I may perform.

After he came to the Senate he sought to slacken the pace as he had promised, but the old habit of incessant work clung to him, and it was only when he was stricken in August last that he gave up his strong hold upon the activities of his duties. Too late he sought by resting from his labors to regain the strength wrested from him by the hard, unremitting toil of years. He went across the seas to Hawaii in the hope that absolute rest and freedom from the cares of office would bring relief, but without avail, and he returned to his home in Denver, where, surrounded by the members of his family, he passed to the Great Beyond on the morning of Wednesday, January 11 last.

Senator HUGHES was imbued with sterling patriotism. His creed was expressed in his acceptance of the senatorship in these words:

> There can come no hour in the Nation's history when I may not pledge the support of the party which has honored me and my own, however weak, to the strengthening of the hands of our Government, by whomsoever administered, in every just cause upon which it shall enter, to the defense of every righteous policy it may espouse, and to the vindication of its integrity and wisdom in the councils of the nations.

He was a strict party man and a consistent supporter of the political party to which he had belonged from his boyhood days. And yet he was willing to act independent of his party upon questions affecting the welfare of his adopted State, Colorado. In the long contest over tariff legislation he voted for what he believed would best promote the interests of Colorado and the Nation in

the adjustment of tariff rates, sometimes in opposition to the general attitude of his party associates. It was in defense of this independence of action that he startled the Senate and attracted the attention of the country when he declared:

> I know no master * * *. I demand the right to be heard unchallenged, uncriticized, and undominated by any influence save my own judgment and my own political conscience.

It was that declaration of independence and the able manner in which he carried himself in debate with the most skilled opponents in the Senate that evoked the general prediction that he was the coming leader of his party, a prediction that many believe would have been realized had he been spared.

Senator Hughes was a courteous gentleman, of high ideals and rugged, almost stern, devotion to an absolute unswerving idea of the right. Beneath an appearance of reserve we who knew him well were aware that he was charitable and hospitable and kind-hearted—one who loved his family, his friends, and humanity.

In my personal intercourse with him I recall many instances of his courtesy and kindness of thought and heart and charity for those in want and distress. His deeds of charity and kindness were performed quietly and without parade or ostentation, and those who were the beneficiaries usually were the only ones who knew of them.

I am conscious that mere words are weak and inadequate to fittingly place in the records of this body a proper estimate of the worth of the late Senator from Colorado. But there is comfort in the thought that while my words fall short and will be forgotten, his life, though brief, was full and complete with the accomplishment of the work which came to his hand.

Words may fade from memory, but the good deeds of a great man live forever.

## Address of Mr. Taylor, of Tennessee

Mr. President: Less than two years ago a modest and unobtrusive man quietly walked into this Chamber and was sworn in as a United States Senator from Colorado. Peculiar interest was centered upon him because he was the successor of Henry M. Teller, one of the purest and most illustrious statesmen of our times.

But all doubt as to his worthiness to wear the mantle of that splendid Senator was dispelled when, at the very threshold of a career which was so soon to end, he distinguished himself, not only as a lawyer and an orator, but as a safe counselor in the affairs of the Nation.

For myself, I was drawn to this man from the beginning, for behind his armor of unpretention I saw an intellectual gladiator.

I have left it to others better acquainted with his private character and previous public and professional accomplishments to recount them, for it had not been my privilege to know him intimately before his advent in the Senate.

But those who have heard or read his speeches here need not be told that his former life abounded in great achievements, for they gave ample proofs of a profound thinker and a mind stored with the riches of knowledge.

Those who heard him in his first effort in this body will never forget the brilliant revelation of his power and his unmistakable ability to sustain himself in debate with even the ablest men of the Republic.

He possessed the three leading elements of a statesman—a profound knowledge of the law, the power to

square public measures to the principles of justice and truth, and the courage to do it. Senator Hughes's addresses on the tariff, the public lands, the income tax, and the interstate-commerce measures established his reputation at once as a leader. But he had not long to serve his people; he had not long to give evidence of his learning and superb ability in our midst; he was not permitted to reach the summit of his glory. And yet he was among us long enough to convince every Senator, not only of his high purposes and lofty ideals, but of his unselfish loyalty to his friends and to his country.

He was a fighter; a fighter in the court room, a fighter in the arena of politics. His convictions were on the side of truth and honor, and he had the courage to battle for them to the last ditch. He belonged to that type of men who make nations great and who lead in the march of human progress. He was imbued with the same spirit which inspired our fathers to establish our free institutions, and which sustains and directs the administration of the Government for the good of humanity and for its final and complete emancipation from oppression and wrong throughout the whole world.

In my mind there is no shadow of doubt that the wisdom which devised and builded our form of government was inspired from on high, for the men who wrought it, as great and pure as they were, could never have conceived it so perfectly and completely of themselves.

The most conclusive evidence of the wisdom of the plan of salvation is its comprehensive adaptability to all ages and all conditions everywhere. It never needs amendment. It was all-sufficient in the beginning and will be to the end.

And I say with all reverence, that the plan of the great Republic, conceived and written down by its founders, partakes of this same unfailing sufficiency and adapts

itself to the ever-changing conditions of business and government and to the progress of the race.

Has not the influence of our institutions spread all over the earth? Is it not permeating all nations and lodging itself in the universal mind?

And in consequence of all this, are not old ideals and old forms of government fading away? Are not constitutions being written everywhere?

Our lamented colleague was a firm believer in our great dual form of government and in preserving it as it is. He was a splendid interpreter of the Constitution and defender of the rights of the States to control their own domestic affairs unmolested by the Federal Government or any other power under the sun. He believed in curbing Federal power and holding it within the lines drawn by its founders. He believed in the greatest good to the greatest number and in the personal rights of all in the pursuit of happiness.

He was every inch a man, in love with his country and his fellow man, and in his death the Senate lost one of its ablest Members and the Republic one of its noblest citizens.

Mr. President, this has been a year of calamity for this Chamber, and we may well resolve it into a lodge of sorrow while we give voice to our lamentations.

Perhaps at no period in the history of the Senate has the angel of death been so busy and aimed so high.

Many of the best and most useful men of the times have fallen—patriots, scholars, statesmen, the noblest and most lovable spirits who ever blessed any people in any land.

We can not understand why they have been called away from their great work, but let us believe that it is a part of the plan of Him who controls the destinies of us all and who holds us in the hollow of His hand.

They played their particular parts in the great scheme that God devised to lift humanity up out of oppression toward liberty and light, and have been called to rest from their labors.

They were not surface men; they did not strut across the stage of public life as daubed and tinseled actors in slipper and buskin, to swagger in mock heroics and give frenzied utterance to fictitious thought. They were builders. They chiseled and carved the materials that have gone into the structure of the temple of liberty to beautify and adorn it and make it enduring; they fashioned them into the similitude of truth and wisdom, and truth and wisdom come from God and are God.

The Senator whose life and character we now commemorate was not the least among those master builders. His life will be an inspiration to the younger generation who knew him and witnessed his rise in the world.

There is one valued lesson to learn from his success, and that is the essential importance of preparation. He prepared for the battle before he entered it. He held diplomas from two universities and then finished a course in the law.

He twice declined the nomination for governor of his State; but his experiences in public affairs seemed to peculiarly fit him for the career of a Senator.

And that his people, who knew him best, were of this opinion was demonstrated by the vote he received as a Democrat in a Republican State, of 73 out of a total of 100 in the legislature.

Sir, I offer this feeble tribute of appreciation to the memory of the man who within so brief a time impressed us all with his virtues and high attainments and taught us to love him in life and to cherish happy recollections of him in death.

## Address of Mr. Smoot, of Utah

Mr. President: When Charles J. Hughes, Jr., entered the United States Senate at the beginning of the present Congress he looked forward to a long period of service, and the people of Colorado, regardless of party affiliations, had every reason to expect a most useful and brilliant career for him, his State, and his country. He was splendidly equipped for the duties required of a Member of this body, and few men possessed a more logical or well-trained mind. Scarcely had he been in the Senate a year until everybody became convinced of that fact.

Senator Hughes was an indefatigable worker. When it became apparent that his health was fast failing him he was no less energetic in the performance of his duties, but even put forth greater efforts to accomplish more. During the present session of Congress I had the honor to serve on a subcommittee with Senator Hughes in the consideration of important public-land legislation. The pressure of other work made it necessary for the subcommittee to meet at nights, and I do not recall a single meeting which Senator Hughes failed to attend and in the deliberations and discussions of which he failed to participate actively, notwithstanding it was then plainly evident that he was in no physical condition for such strenuous work. In few men were there combined in such a marked degree the ability and energy so characteristic of Colorado's late Senator.

Senator Hughes was a scholar in the fullest sense of the word. At 18 years of age he graduated from Richmond

(Mo.) College, and before reaching his majority he received the degree of LL. D. from the University of Missouri and the University of Denver, indicating his early boyhood love for the law. From the day of his graduation until his last illness he was devoted to his profession. I know I am within the bounds of truth when I say that there have been few greater lawyers in the United States than Senator HUGHES. As a legal authority he was no stranger to the people of my own State; in fact, he was known throughout all the intermountain States as a man of sterling worth, unquestioned honesty, and brilliant intellect. His counsel was often sought when great questions affecting the interpretation of the mining and irrigation laws were involved.

Not only was he a scholar and a student, but he was also gifted with sound judgment in the great commercial affairs of life. His name is coupled with many of the industries of Colorado which go to make that State great. The future historian in recording the wonderful achievements of Western State builders will refer to Senator HUGHES as a potent factor in the development of Denver, the metropolis of the State of Colorado.

It is sad to contemplate the death of a friend, a brother, a sister, a father, or a mother; but rather would I look at death as a temporary separation, the beginning of a new life, a life better, nobler, and greater than the one through which we are now passing—an advanced step in God's eternal plan.

It is glorious to contemplate the joys and beauties of a well-spent life. The web of life is drawn into a loom for us all, but we weave it ourselves. We throw our own shuttles and work our own treadles. The warp is given us by our Creator, but the filling is of our own making. Everyone is the architect of his own home—his own temple of fame. If he builds a temple great, glorious,

and honorable, the merit and happiness are his; if he rears a house polluted, unsightly, and ignoble, to him belongs the shame and misery.

The life of Senator HUGHES was not great in years, but great in achievements. His work in this mundane sphere of action has ended. He will be missed by his colleagues in this body and by his countrymen, but the greatest loss will be to his fond and noble wife and children, to whom he was a devoted husband and a loving father. May they have comfort in his honorable and successful life.

## Address of Mr. Fletcher, of Florida

Mr. President: The announcement of the death of Senator Charles J. Hughes, Jr., by the resolution of January 12, 1911, shocked the Members of this body, and his demise saddened deeply all those with whom he had been associated.

Born in Kingston, Caldwell County, State of Missouri, February 16, 1853, he graduated from Richmond College, Missouri, in 1871, and received the degree of LL. D. from both the University of Missouri and the University of Denver. He married Lucy S. Menefee September 1, 1874, and began the practice of law in August, 1877, and located in Denver in 1879. He taught school for some five years prior to that, and I have often thought that the best way to permanently fix in mind and memory the subjects studied in college is by engaging in teaching for a period after graduation. The accurate and firm grasp I observed that Senator Hughes possessed on all matters which he had considered reenforced that view.

On the 11th day of January, 1911, he departed this life, leaving his widow and four children surviving him. His law practice covered a wide range of litigation, and in recent years he appeared on one side or the other of most of the important causes originating in his section of the country. He gave special attention, however, to mining and irrigation litigation and delivered courses of lectures on that subject at Harvard Law School, and for many years was professor of mining law in the University of Denver. He was a tireless worker, never saving him-

self, but throwing his whole soul into whatever he undertook with a concentration rarely equaled and a devotion never excelled. He possessed a thoroughly trained mind. Quick of perception, accurate in analysis, logical in its operations, and penetrating in power, it seemed easy and natural for him to see straight to the heart of any question and grasp fully its ramifications. Affectionate and kind in his disposition and nature, he especially lavished upon his family the wealth of his warm heart and richest hopes. His reading took a wide range, and his power of concentration was such that everything of importance became fixed in his mind so it could be readily brought forth for use when needed, and constituted a vast fund of information which appeared always at his command. His memory was remarkable for its accuracy and clearness and strength. His power of expression was extraordinary.

Forceful, polished, and dignified, he made plain and lucid any subject he discussed. His command of language was never lacking, and his mental processes were those of a thinker and reasoner—honest and sincere always. He was elected United States Senator from the State of Colorado January 20, 1909, having been the unanimous choice of the State Democratic convention at Pueblo, September, 1908. He took the oath and signed the roll as a Member of this body March 4, 1909, and his term of service would have expired March 3, 1915.

Speaking of him a few days ago, one of the most experienced and eminent Senators said truly that he possessed to a marked degree three qualities which are peculiarly important for service in the Senate of the United States—physical, intellectual, and moral courage. During the short time he was permitted to serve here he took his place in the very front rank of master minds, and his usefulness to his State and the country would have com-

manded recognition such as the great men of the country have written in our history.

I never met Senator Hughes until we both took our seats here in March, 1909. It was then my good fortune to be seated next to him and to be thrown with him daily. I esteem it a great privilege to have enjoyed his companionship, which on my part ripened into sincerest friendship. My esteem and admiration and cordial regard for him grew as the days passed by. It is with profound sorrow that I realize the end of that relation—except only in memory—and I mourn his loss as a friend and a colleague, and, in a broader sense, I deplore the country's loss.

Of course no words we can utter here can bring comfort to those of his household who were so near and dear to him; but the consolation which comes from the knowledge that he had faithfully met the responsibilities of husband, father, friend, citizen, and public official and had impressed the rare qualities of his head and heart upon his countrymen they have.

He was honored and is remembered because of his high character, ability, and industry. After all, any man has lived to great purpose who has built up, developed, and established such a character, "the one indestructible material in destiny's fierce crucible."

He won distinction at the bar; in the lecture room he was preeminent, and he merited the high honors which were tendered him by the people of his State. He was a close observer, a hard student, and thoroughly familiar with governmental problems. He enjoyed the most valuable quality which characterizes great men—capacity for and power of growth. Gladstone was an example of this power or capacity. Throughout a long and useful life he continued to develop, expand, and grow. So with our friend; every day his alert and comprehensive mind

added to its store of knowledge or reached out in some new direction, thus broadening and extending his horizon.

In the records of this Senate and elsewhere the results of his labor and thought will be preserved. At times while here he was not in vigorous health, but he was always cheerful and gentle and always attentive to his duties. Sometimes I have seen him in action when I was reminded of John Randolph, of Roanoke, who on one occasion, when an angry mob was endeavoring to prevent his speaking, declared:

> My Bible teaches me that the fear of God is the beginning of wisdom, but the fear of man is the consummation of folly.

Again, I have seen him working when he was not able, and I thought of what Talleyrand said of Alexander Hamilton:

> I have seen one of the wonders of the world; I have seen a man laboring all night to support his family, who had made the fortune of a nation.

The self-reliance and the brain grasp characteristic of him are shown by his speeches in the Senate during the too brief period of his labors here.

His impulses were generous, his public spirit broad and deep.

His sympathy for humanity was of that nature which was not limited to ordinary politeness or etiquette, but measured up to a vital relation of life.

His love for his fellow man was something more than a sentiment—it amounted to a principle.

His religion not a mere spasm, but a habit.

Being new Senators, occupying the back row and adjoining seats, we spent many pleasant moments looking over the Chamber and confiding to each other our impressions of our various colleagues. The veterans have

not everything their own way. They can not deny to the novices the privilege of quiet, confidential, and good-natured comment of a personal nature. We took some delight in that pastime and enjoyed the survey of the membership between ourselves. Sometimes we would liken the Senate to the famous school at Athens, in which Socrates was the first teacher. He was succeeded by Plato, and we would imagine one of the veterans of the Senate to be this autocratic successor of Socrates, clad in his purple robes, in charge of the school, at a time when Athens thrilled with thought and feeling. Then we would speculate who his successor would be. This school was conducted under the shade of the trees and vines, and the pupils reclined on marble benches. We could picture that scene at times when Plato would take charge of the senatorial school and gather his pupils about him. Out of Macedonia came Aristotle, "with all his belongings tied up in a bearskin," to become the pupil of Plato and subsequently his successor in the conduct of that famous school, when Pericles was delivering those powerful orations and Phidias was carving out of stone figures of exquisite beauty. Who is or is to be the Aristotle in this school? Many a pleasant hour we spent in wanderings and pleasantries of this kind, and I looked forward to the opening of this session with keen delight, in expectation that the attachment which had been so agreeably begun might become closer and stronger throughout our careers here.

It was not to be. The mysteries of life we no more understand than the mysteries of death. It seems about the limit of our knowledge and capacity is "to do what we can, to do what we ought, and leave hoping and fearing alone." We humbly submit to the final decree, and observe—"soft as the memory of buried love"—he is no more.

He will be remembered as the courteous gentleman, the kind neighbor, the warm-hearted friend, the ripe scholar, profound thinker, eloquent orator, great lawyer, and wise statesman.

We can only hope, as we believe, he will experience beyond the grave—

> The freer step, the fuller breath,
> The wide horizon's grander view,
> The sense of life that knows no death,
> The life that maketh all things new.

Mr. GUGGENHEIM. Mr. President, I offer the following resolution.

The PRESIDING OFFICER. The Senator from Colorado submits a resolution, which will be read.

The Secretary read the resolution, as follows:

*Resolved,* That as a further mark of respect to the memory of Mr. Elkins and Mr. HUGHES, the Senate do now adjourn.

The resolution was unanimously agreed to, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, February 13, 1911, at 12 o'clock meridian.

## Proceedings in the House

Thursday, *January 12, 1911.*

The House met at 12 o'clock m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, source of all good, we thank Thee from the depths of our hearts for those sterling godlike qualities which Thou hast implanted in the constitution of man, which lifts him above the brute creation and makes him a child of the living God. Grant, O most merciful Father, that we may grow and cultivate these virtues in the common duties of daily life, so that when great crises come we shall be able to acquit ourselves like men and, like the stars of the firmament, reflect Thy glory in all our acts.

Reminded once more by the death of one of our statesmen, cut off in the heyday of his youthfulness, of the uncertainty of this existence, grant that we may so fulfill our duties that when the summons comes we shall be ready. Comfort, we beseech Thee, his colleagues and friends by the eternal promises, and let the everlasting arms be about the bereaved wife and children, and comfort them with the thought that though he may not come to them they shall surely go to him and dwell in eternity with him forever, in Jesus Christ, our Lord. Amen.

Mr. Taylor of Colorado. Mr. Speaker, it is with deep personal sorrow and a profound sense of the public loss, not only to the Nation, but especially to the West, that I

arise to perform the sad duty of announcing to the House the death of the Hon. CHARLES JAMES HUGHES, Jr., late a Senator from the State of Colorado. He died at his home in the city of Denver yesterday. Owing to the long distance and the severe weather, the family have requested that the usual congressional committee be not appointed to attend the funeral, which will be held to-morrow.

I shall at some future time ask the House to designate a day upon which we can consider and pay a fitting tribute to his memory and his distinguished public services. And on behalf of the delegation from Colorado, I now offer the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

*Resolved,* That the House has heard with profound sorrow of the death of Hon. CHARLES J. HUGHES, Jr., late a Senator of the United States from the State of Colorado.

*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

*Resolved,* That as a further mark of respect the House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Accordingly (at 3 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Friday, January 13, 1911, at 12 o'clock meridian.

JANUARY 24, 1911.

By unanimous consent, at the request of Mr. Taylor of Colorado, it was—

*Ordered,* That on Sunday, February 12, 1911, the delivery of eulogies on the life, character, and public services of the Hon. CHARLES JAMES HUGHES, Jr., late a Senator of the United States from Colorado, shall be in order.

SUNDAY, *February 12, 1911.*

The House met at 12 o'clock noon and was called to order by Mr. Greene, Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we bless Thee for all the disclosures Thou hast made of Thyself, especially for the Gospel, the glad tidings of great joy, which fell from the lips of the Master, inspiring the hearts of men with faith in the eternal goodness of God and the unbroken continuity of life. *"Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you."* Blessed words, which lifts the veil, points the way, removes the sting of death, comforts the sad and bereaved heart.

We are here to-day in memory of two distinguished men, strong in mentality, lofty of purpose, clean in character, called by their fellow citizens to service in their respective States and in the National Congress, who in every station of life acquitted themselves with credit and honor. They have passed on into one of the Father's many mansions. May the record of their lives be an inspiration to us and to those who come after us, and grant that their beloved ones may go forward with perfect faith in—

That God, which ever lives and loves,
One God, one law, one element,
And one far-off, divine event,
To which the whole creation moves.

Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. Rucker of Colorado took the chair as Speaker pro tempore.

Mr. Taylor of Colorado. Mr. Speaker, I offer the following resolutions, which I send to the Clerk's desk to have read.

The Clerk read as follows:

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES JAMES HUGHES, Jr., late a Senator of the United States from the State of Colorado.

*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on the adoption of the resolutions.

The resolutions were agreed to.

# MEMORIAL ADDRESSES

## Address of Mr. Taylor, of Colorado

Mr. Speaker: It is with a profound sense of sorrow that I arise to pay a brief and parting tribute to the memory of the distinguished junior Senator from the State of Colorado, whom I have known and admired from my boyhood days.

It is a melancholy task to lay a wreath of affection upon the grave of a departed friend. But it is fitting that we who knew him and watched with pride his brilliant career should here commemorate the many admirable qualities of that remarkably strong and attractive personality.

The Hon. Charles James Hughes, Jr., was born in Kingston, Caldwell County, Mo., February 16, 1853. He was the son of Charles James and Cerena C. (Pollard) Hughes. He was a descendant of an old Virginia family, that moved to Kentucky in early days and afterwards moved to the State of Missouri. He was raised in a legal and political atmosphere. His father was one of the most prominent attorneys in Missouri, and at one time there were four noted members of the Hughes family in active public life in the State, and afterwards Gen. Bela M. Hughes became one of the most distinguished citizens and lawyers of Colorado.

As a boy Senator Hughes attended the common schools of Ray County, Mo., and was graduated from Richmond (Mo.) College in 1871. He studied law at the University of Missouri, and was afterwards honored by the degree

of doctor of laws from both the University of Missouri and the University of Denver. He was a teacher in the public schools, and also a college professor for five years.

On September 1, 1874, he was married to Miss Lucy S. Menefee. He began the practice of law in August, 1877, and located in Denver, Colo., in 1879, and resided there until the time of his death. Both as a student and as a lawyer he was always an indefatigable worker. He supplemented his education with studies in higher mathematics, languages, political economy, and the sciences most intimately connected with his legal practice, including engineering, chemistry, geology, mineralogy, irrigation, and hydraulic engineering, and at the time of his death he possessed one of the finest libraries in the West. He built up the most extensive and lucrative law practice that has ever been enjoyed by any one attorney in the Rocky Mountain region.

His remarkable success in the practice of the law was the reward of profound learning and exceptional natural ability, coupled with his invariable carefulness and thorough preparation of all his cases. While he was a most profound lawyer and formidable adversary in any branch of the law, from the beginning he gave special attention to mining and irrigation litigation, and he has been one of the leading attorneys in practically every important mining case throughout the Rocky Mountain States for the past quarter of a century.

He lectured on the subject of "Mining law" before the Harvard Law School and was for many years professor of mining law in the law department of the University of Denver. He constantly appeared before the United States courts of the eighth circuit and before the Supreme Court of the United States. There was never a day during a period of over 20 years prior to his entering upon his duties as Senator from our State that there were not

many millions of dollars' worth of property intrusted to and dependent upon his skill and energy for protection; and during all of that time, and notwithstanding the intense bitterness which much of that litigation engendered, there has never been the slightest question as to his superb ability or absolute fidelity to the interests of his clients.

He was a Democrat of the old school, true to the teachings of the fathers, and he always liberally contributed money and of his most valuable time in furtherance of his party's success. He never held any public office prior to his election to the United States Senate, with the exception of being a most valuable member of the State board of capitol managers which built Colorado's magnificent statehouse. He was many times tendered various honors by the State. Twice the nomination for governor of the State was tendered him, but each time he declined. He was elected as Democratic presidential elector in 1900. He was also a delegate to the Democratic national conventions of 1904 and 1908. At the time of his death he was a member of the American Bar Association, American Institute of Mining Engineers, Colorado Historical Society, Denver Club, Denver Athletic Club, Denver University, El Paso Club, Strollers Club of New York, and a member and ex-president of the Denver Country Club, and was president of the Colorado Southern Society.

In the practice of the law he had amassed a large fortune, and every dollar of it was clean and honorably earned money. At the time of his nomination he voluntarily promised to, and unqualifiedly kept the faith with his constituents and did, relinquish all of his vast law practice on his election, so that nothing might hamper him in his senatorial duties.

His election to the office of United States Senator was practically by popular vote. In the primaries and county

conventions throughout the State in the summer of 1908 the delegates to the State convention that met in September were largely instructed for him; and the State convention unanimously indorsed him for the United States Senate, and all State senators and representatives who ran during that campaign were thereby publicly instructed, if elected, to cast their votes for him in the legislature. On January 20, 1909, he received the unanimous vote of all the Democratic senators and representatives, being 73 out of the total membership of 100 in our legislature.

After his nomination to the United States Senate, I had the pleasure and profit of being billed to speak along with him during a large portion of the campaign of 1908. I was intimately associated with him, and I know that no one ever more profoundly appreciated the honor that the people were conferring upon him or had a more sincere and honorable determination to become a worthy successor of Colorado's illustrious senior Senator, the Hon. Henry M. Teller.

During that strenuous campaign, and in closing up his tremendous amount of business prior to entering the Senate, he had become overworked, and was sorely in need of rest when he entered the Senate in March, 1909. But instead of taking the rest and recreation which he should have done, he plunged into an intricate and most exhaustive study of the tariff. I mean no reflection upon anyone else when I say that from my personal observation I do not believe there was another Member of either the Senate or of this House who put in the same number of hours that he did, day and night, for five months in a most profound and detailed study of all the thousands of items of the various tariff schedules and of the principles and history of tariff legislation. The natural result was that, in the judgment of many, no other Member in either the Senate or House possessed more, if as

much, concrete information upon the subject as he did at the time of the passage of the Payne tariff bill. Out of my kindly feeling and hope for his future career I mildly remonstrated with him for working so hard; but he could not slacken the pace; he was simply following his invariable custom of exhaustively mastering every subject with which he was connected. He was at the same time constantly studying the rules and practice of the Senate and its procedure and history. He had never had any experience in parliamentary or legislative proceedings; and he said to me one day in the Senate, when I was consulting with him, as I frequently did, that the senatorial rules and customs were harder for him to thoroughly learn than even the tariff itself.

During the long session of Congress, from December, 1909, to the latter part of June, 1910, he was a member of the Public Lands Committee of the Senate; and being a member of the same committee in the House, I again had the good fortune of being intimately associated with him and of seeing him almost daily during those seven months; and I think I probably know better than anyone else the immense service which he rendered to the West in general, and to Colorado in particular, during that session of Congress. While his great speech against the public-land withdrawal bill was not sufficient to prevent its passage, yet he was entitled to much of the credit for compelling the insertion of five amendments that are and will be of very great and lasting importance to our country, after a few of us had valiantly fought for and failed to secure them in the House. The amendment protecting the rights of the miners and homesteaders on the public domain, and of the oil, gas, and other bona fide locators who had not yet secured title; and the provision preventing the President from taking from Congress the right to enlarge the forest reserves in six of our Western

States, as well as the provision making the withdrawals temporary instead of permanent, were all largely due to his instinctive loyalty to the West and his forcible and diligent efforts. His speech and labors in connection with that measure were to my mind the most effective and lasting service that he rendered to the public during his brief senatorial career.

Few, if any, men have ever been better equipped, both by nature and by preparation, or ever entered upon the duties of a United States Senator with a greater appreciation of its honor or with a more lofty ambition to make a record of which his State and the Nation would be proud; and certainly no State ever sent her favorite son to the Capitol of our country with more hope or implicit confidence in his future achievements. But his intense application and almost unremittent toil, and the tremendous responsibilities resting upon him, had begun to make inroads upon his strength and constitution, so that he was doomed to the most pathetic disappointment, and our State to experience the greatest loss that has ever befallen her in the death of any one person during the entire history of our Commonwealth. But, notwithstanding he was sorely handicapped and afflicted by failing health and strength all the time, he made a record during his brief career of only two sessions in the Senate of which the State, his friends and colleagues, and the country at large are proud.

While I feel that the Senate never knew him at his best or in the prime of his vigor, yet the few speeches that he made and the active part he took upon the committee of which he was a member and his participation in debates upon the floor of the Senate were universally recognized as foreshadowing a most brilliant career in that august body. He was one of the shrewdest, quickest, most courageous, and formidable debaters I have ever

known. He was a fluent and rapid speaker, with a wonderful vocabulary. His ability as a public speaker, his profound learning in the law, his knowledge of history and great fund of information on public questions, well fitted him to be one of the leaders of his party and one of the Nation's great statesmen. His untimely death was, indeed, an ineffable loss, not only to his constituents, but to the country as a whole. The State of Colorado has lost a faithful and most distinguished son, and all of us who knew him a charming and loyal friend. The loss to the country, to the Senate, and to our State comes at a time when we can ill afford to be deprived of his superb abilities. His mind and memory were a marvelous storehouse of knowledge that would have been of untold benefit to this country had he been spared to use them. His loss to the West can not be adequately put in words, and his full appreciation must be left to the contemplation of those who knew and admired him, as we of his State did.

He was in the truest sense a high ideal of a model and exemplary citizen. He was public-spirited, philanthropic, and always liberally responded to worthy charitable appeals. One of his most admirable characteristics was the simple and straightforward method with which he went at everything, whether law, business, or politics; he knew but one way, and that was direct. Oftentimes results might have been accomplished by devious, yet honorable, means, but he never adopted them, preferring always the direct road, even where the obstacles seemed almost insurmountable. After all, that was undoubtedly one of the sources of his great strength, for he never had to look back or think twice as to what had occurred in the past. He knew that each present act was in full sympathy and harmony with all that had gone before, because they were all dictated by the same manly principle.

I count it one of the rare good fortunes of my life to have known Senator HUGHES. His marvelously successful career has been a beacon light to me for nearly 30 years. His life is an inspiration to young American manhood. It enlarges the ideals of life to have known such a man. We do well to honor the memory of men who have manfully fought the battles of life and made a splendid success.

He was a fearless and ready fighter; he struck hard and did not flinch from the return. But he always fought in the open, with honest, manly weapons. While he had a keen sarcasm, a caustic wit, and his tongue could utter bitter words, which fell like a whip and left a scar, yet he only employed his marvelous powers of invective when he was certain the subject amply warranted it. He was, indeed, one of the great lawyers of this country. I believe he was the most profoundly learned in mining law and the greatest trial mining lawyer this Nation or the world has ever produced. He met Napoleon's test—he did things—great things, that were worth while. I doubt if this generation in Colorado will ever look upon his like again.

Colorado was supremely proud to feel that when the roll of States was called in the United States Senate CHARLES J. HUGHES, Jr., would be one of those who would answer for the Centennial State.

There was no pretense or affectation in his nature. He disliked notoriety and despised cant, sham, and hypocrisy. He never looked for applause or tried to get into the spot light. He did many acts of public service that never appeared in the press. He believed in and his life exemplified the sentiment:

> This above all—to thine own self be true;
> And it must follow, as the night the day,
> Thou canst not then be false to any man.

No words at my command will as vividly or impressively portray the characteristics of Senator Hughes and his loss to the Republic as a brief extract from his own language in the Senate on May 21, 1910, in his eloquent eulogy upon the late Congressman David A. De Armond, of Missouri. Referring to Judge De Armond, the Senator said:

He came necessarily an unheralded man into public life here; but it was not long before the body in which he served, before the people of the country, came to know that a new force had entered into the political life of America, and that another great mind was dealing with the subjects of public discussion, with the perplexing problems which must be dealt with in legislation. His intellect was sunlight—clear and penetrating. His power of expression was capable of presenting with directness and precision the thoughts which were so clear to his own mind. This made him a powerful advocate, a dangerous antagonist in debate, a tower of strength to the principles which he advocated and to the party to which he belonged. He had not more than begun in their fruitfulness to enjoy the results of his continued and arduous labors when his tragic taking off startled the American public. It was a sad and unexpected and wasteful termination of a great and useful life. This untimely ending, this quenching of the fires of his intellectual energy could only bring sorrow alike to friends and opponents, for whether we agreed with him or differed from him, all recognized that he brought to the discussion of every great subject something new, something of force, something of clear analysis, which tended to a better comprehension of the real matters of dispute or inquiry. Our public life, with its strength and wealth of endowment, could ill afford this loss. A great State needed him longer, as did the Republic and the great party to whose principles he was devoted and which he ever loyally urged and valiantly defended. Knowing his qualities, recognizing his ability, belonging to the party whose tenets he maintained, I have sorrowed with those who mourn his loss and grieved that the great State of Missouri should have been deprived thus sadly of the services of one of her most distinguished sons.

How strikingly fitting and appropriate is that language to himself; how forcibly and eloquently it is expressed; and how little did he dream that in a few short months we would be here assembled in these commemorative ceremonies, and be thus sadly but affectionately applying those great attributes of a statesman to himself.

I have often listened with rapt admiration to his charming flow of language, his forceful eloquence, and unanswerable logic; and as I contemplate his admirably trained memory and wonderfully polished mind I am reminded of a comparison that I once heard by the Rev. Myron W. Reed, one of the most noted ministers and charming characters the West has ever known. He has long since gone to his reward, but his memory and myriads of kind words and deeds are affectionately cherished by the many thousands of our people who loved him. It is nearly a quarter of a century ago, but I remember his words as though they were of yesterday. In preaching my father's funeral oration he compared the well-developed man to the building of King Solomon's temple. He said:

> Each piece was made perfect, and when all was ready the temple rose without noise, or ax, or chisel, or saw, or hammer. The temple grew like a plant, came together without friction. And so the highest type of man comes together like the temple. He is a miracle to us when we behold him, but when we study him he is a result. He is the product of all his thoughts and deeds since he was born. Besides that, his environments have largely contributed to him.

The superbly developed mind of Senator HUGHES was the result of great natural abilities, coupled with a clean life, worthy ambitions, and intense industry.

He delivered but few speeches during his brief career in the Senate. The first one, upon the Court of Commerce, brought him at once into prominence throughout

the entire Nation. But his greatest and last speech, with the exception of a very brief address upon the postal savings-bank law, was the one delivered on June 14 last, just before the close of Congress, against the bill authorizing the President to withdraw the public lands from entry. I sat beside him in the Senate when he delivered that splendid address. I wish that the entire Nation could have heard it. He was physically frail, and he spoke with the greatest exertion. But his mind was so bright and his love of the West was so great that he was thoroughly aroused and indignant at what he believed was an outrage being perpetrated upon the rights of the West and the welfare of our people. The greatest triumphs of his life had been achieved in mining litigation. He was a friend of the prospectors and the miners and pioneers of our State, and when he felt that their rights were being ruthlessly trampled upon he would have belied his very nature had he remained silent, and in this, almost his last public utterance in this life, and only about a week before he was to leave the Senate Chamber forever, his eloquent and masterly voice was raised in behalf of the miners and the settlers upon the public domain. In closing his address, he said:

> The great men in this body who had been born upon the frontiers of the older States, men who had been the associates of those great men—of Lincoln, when he won his reputation as a rail splitter, an accomplishment which would lead to his being denounced if he lived to-day as a vandal, a destroyer of glorious forests—dealt with that subject, and they said a better fate is reserved for this West than the one to which you would condemn it. It is the theory and spirit of our law and our institutions that homes shall be founded, that the people shall own the land, and that the Government, as speedily as it may, shall discharge the trust which it holds, and out of multiplied growth and the development of the lands, in individual holdings, get a return which no high price they might exact from its citizens would compensate.

I do not care what the pretext may be; I can not believe that the true, genuine American is going to forget or is going to condemn the spirit which when manifested in former times he has hailed as a splendid exhibition of true Americanism, simply because it is a little farther west just now, and its assertion may interfere with the fad or the fancy of some gentleman with more leisure than acquaintance with the wants and needs of the people.

Mr. President, it has been my belief often, when I have reflected deeply upon the grave problems with which we deal, that no man is fully qualified to know the measures, or the extent, and the penetration of these laws who has not at some time felt the touch of poverty and the hunger for a home, that home which some have not enjoyed, and that he must place himself as well as he may by sympathy—and thousands do it—in the position of his less-favored fellow citizens, less favored by the chance of fortune and of birth, but none the less favored by the opportunities which this Government of equal rights asserts. Now, give to the West these rights, and a thousand times over they will repay the burden of the obligation, or the debt of gratitude, if that is what you choose to call it, which you have placed upon them, or a thousand times over they will regard in grateful performance every promise they have made and may make, and you shall be proudly boastful of your participation in the enactment of laws which have not hindered but have helped them in their helpful growth and in the universally distributed rewards of their development.

Mr. Speaker, our lives are guideposts to others in the journey along the pathway of life, and Senator HUGHES's whole life exemplified what may be accomplished by unswerving honesty and a heroic determination to make a success of whatever we undertake. Words are all too poor to express our grief at his untimely taking off. A great life has been prematurely snuffed out.

As a husband and father Senator HUGHES approached the domain of a perfect man. No friend, however intimate in professional or political life, could ever fully

appreciate the charming domestic side of his nature unless he also saw him within his home and library. To his family and intimate friends his great attainments in public affairs and remarkable success in his profession were even overshadowed, or for the time being forgotten, in the broad catholic knowledge which he received from his library and which he constantly gave to his home and family. He was blessed with a noble wife, whom he adored; with three splendid sons and a charming daughter, in whom the ambitions of his life were worthily centered. To those, bone of his bone and flesh of his flesh, our heartfelt sympathy is extended. Though grieving over his loss we take comfort from the contemplation of his illustrious career, and chastened by the affliction now upon us may we strive to emulate his example and realize that the greatest tribute we can pay to his memory is to so live that our lives may in part resemble his; and when the grim reaper, who knoweth neither rank nor distinction, but comes to all the sons of man, shall beckon to us we may leave the world a little better for our having lived. For many years to come his devoted family and friends in Colorado will long

> For the touch of a vanished hand,
> And the sound of a voice that is still.

He died on the 11th day of January, 1911, at his home in the city of Denver, after a long and sad illness, and his mortal remains rest in a vault in the beautiful Fairmount Cemetery, in the Queen City of the mountain and plains, which he honored and loved so well. His death came as a personal bereavement to every citizen of our State, and at the time of his funeral the entire population throughout the length and breadth of that vast Commonwealth suspended business and stood with bowed and reverend heads and silently evinced their sadness

over the loss of this splendid son. In the vigor of his manhood, in the noonday of his life, in the fullness of his intellectual powers, when best prepared by learning and experience to worthily serve his State and his country in that high office to which he had been so recently elevated, death has removed him from the field of this world's labor.

Upon the trestle board of hope he had long before traced the design of his own life's edifice—a structure which should be useful and true and fair and lofty. Patiently and faithfully had he builded until its fair proportions foreshadowed its future grandeur. And when it had reached that stage of completion from whence he could clearly discern the culmination of all his endeavors, the fruition of his life's ambition and his heart's fairest hopes, the stroke of death fell upon him and all his noble resolutions and lofty purposes were as a dream that is past.

To me the two most solemn and impressive poems I have ever known are Gray's Elegy and the Psalm of life:

> The boast of heraldry, the pomp of power,
> And all that beauty, all that wealth e'er gave,
> Await alike the inevitable hour;
> The paths of glory lead but to the grave.

The character of such a man as Senator HUGHES is entitled to much more than a passing word. He was not only a credit to his constituents, he was an honor to the Nation, to his native and his adopted State, and the two universities that had honored him; and we do but honor ourselves by discharging the duty of paying an humble tribute to his memory, and it is fitting that our testimonials of esteem and affection should be spread upon the records of this distinguished body—

> That, perhaps, another
> Sailing o'er life's solemn main,
> A forlorn and shipwrecked brother,
> Seeing, may take heart again.

Mr. Speaker, I have presented but a very brief and imperfect outline of Senator Hughes's life, characteristics, and wonderfully successful career. He was in reality a splendidly developed and really remarkable man. His thoughts were what have been called living rays of intelligent light. His mind was like a rare gem—many-sided and all of them bright. His death was inexpressibly pathetic. He has left his family and legions of friends, and his State, a great loss and an unspeakable sorrow, but he has also left them the glorious legacy of a great record and a stainless name. He kept the faith; he fought a good fight; he nobly performed his duty to the last; he died in the service of his country. He had no fear of anything in this world or the next, and when the court of last resort issued its final summons to him he manfully bade farewell to his family and all earthly things and quietly journeyed to that undiscovered country from whose bourne no traveler returns.

> With a cheery smile and a wave of the hand,
> He has wandered into an unknown land.

Our State and the entire West is better for his having lived. He loved Colorado, and he was ever to her an affectionate and dutiful son. I know of no rule for measuring human greatness. The standard changes with each age and generation. But it can be confidently said that when the future historian of our State shall write the faithful record of the men who made Colorado truly great the name of Charles James Hughes, Jr., profound scholar, lawyer, orator, and statesman, will shine with a brilliant luster among the State's greatest men.

Mr. Speaker, I was indeed gratified when you granted my motion designating these ceremonies upon the birthday of Abraham Lincoln. It is a legal holiday in our State, and the hearts and thoughts of 800,000 people in

our mountain home are to-day reverently turned toward this House.

The eloquent reference to President Lincoln in the closing remarks of what was doomed to be the Senator's farewell speech in the United States Senate seems prophetically coincident, and brings forcibly to my mind the President's immortal address on the battlefield of Gettysburg; and I can not more fittingly close my humble tribute than in paraphrasing the words of the martyred President by saying: The world will little know nor long remember what we say here. But the State of Colorado will long remember what CHARLES J. HUGHES, Jr., did. It is for us, the living, to be here dedicated to the great task of taking up and carrying on the unfinished work which he and others have left, and, inspired by their illustrious example, prove ourselves worthy of the trust which this Nation has imposed on us.

And following Lincoln's letter of sympathy to the bereaved mother of five sons who had died gloriously on the field of battle, I will conclude by saying to the Senator's family: I feel how weak and fruitless must be any words of mine which should attempt to beguile you from your grief for a loss so overwhelming, but I can not refrain from tendering to you the consolation which may be found in the thanks of the State and the Nation, which he served so nobly. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of professional and public duty.

## Address of Mr. Mondell, of Wyoming

Mr. Speaker: Again we are reminded that the ways of Providence are beyond human understanding, and that the divinity which shapes our lives and orders our ends moves in mysterious ways, whose aims and purposes may not be fathomed by our philosophy.

He whose virtues and public services we are met to commemorate, though he left behind him the record of a long, useful, and illustrious career, yet from the standpoint of human expectations had but entered upon the threshold of what promised to be his crowning opportunity of public service, and in his death, to the sorrow that attends the passing of the loved and honored is added the deep and lasting regret which we must all feel in the loss of one unusually gifted and thoroughly prepared for, and wholly consecrated to, the public service.

Charles J. Hughes was a forceful and virile representative of the best of American types. He inherited, through pioneer ancestry, the best traditions of the chivalry of the Old Dominion, of the high courage of pioneer Kentucky, to which his own experience added stalwart, wholesome views of life acquired in the grand old Commonwealth of Missouri, supplemented, enriched, and enlarged by the broadened horizon—physical, political, and social—of the splendid mountain Commonwealth which became his home. With such a heritage of ancestry, of experience, of opportunity, blessed with an energetic spirit and a powerful intellect, it was but natural that he in whose honor we are gathered to-day should become a leader among men, a master of his profession, a genius in

getting at the very root and heart of every problem which confronted him, of every theme and subject that challenged his attention or presented itself for solution; of those things to which he gave his mind and heart—and they were many—he became the master, pursuing them unwearied and unsatisfied until he could rest in the consciousness of a thorough and complete understanding.

All times, every locality, have their special and peculiar dominating problems, and to the mighty problems peculiar to the intermountain West the future Senator steadfastly and persistently, declining to be turned aside by flattering offers of political preferment, addressed himself with all of his tireless energy and his powerful mentality, with the result that he became recognized as the leading authority of the region in which he lived in the important and intricate questions of mining and irrigation law. Then, and then only, did he consent to give his proven and matured talents to the public service.

In the death of CHARLES J. HUGHES the whole country has suffered a great and permanent loss, but the loss is and will be the more keenly felt in the intermountain West, for there his talents were best known, and because he was by location, inclination, and equipment peculiarly the champion of that portion of the country. Honored and beloved by its people, familiar and in sympathy with its problems, and equipped with every needful gift and talent, native and acquired, these rendered him an intrepid and forceful champion and spokesman of the region from which he hailed.

And so I am constrained to repeat the thought uttered in the opening of my remarks, that the ways of Providence are beyond human understanding, else why should one so gifted, so equipped, so devoted, be halted on the very threshold of opportunity for wide and useful serv-

ice; called from the helpful activities of an honorable ambition, but lately realized, to the shades and repose of death? We can not fathom or understand the decrees of Providence which call from service the bravest and the brightest and the best, but we can, from the lessons of their lives, renew our devotion to the cause of right which they served, to the end that we, too, may be prepared whenever the summons comes, and in the hope that we may deserve the honor and praise we gladly render to the memory of Charles J. Hughes.

Mr. Martin of Colorado took the chair as Speaker pro tempore.

## Address of Mr. Rucker, of Colorado

Mr. Speaker: It was my good fortune to have known the deceased Senator longer than did any Member of this or of the distinguished body to which he belonged. At the round of the reaper which cut him down we were entering upon the second lap of a decade that would have rounded out a half century of acquaintanceship. He was studying law just across the Missouri River, at Richmond, when I was beginning its practice at Lexington, in the State for which the river was named; but a few years thence, as by fate and as the broad channel of the greatest of rivers separated our homes in the beginning, and though we came together in the close relationship of attorneys at the same bar, we were, however, separated on every occasion by being opposing counsel in nearly all the great mining controversies of our State. These conflicts were mighty, as well as many; they and their echoes ran over a period of 30 years. Yes; I knew him well. I estimated him as highly for his transcendent ability as I feared his power and admired his personality.

That great river, the Missouri, is known as the slimiest, muddiest, and most unattractive of all our great streams. The controversies which put us on opposite sides of the table in court, as often the case, often resulted in much competition, exhibition of impatience, ugly moods, riled feelings, and intemperate words, but, unlike the waters of the "Great Muddy" that never become clear, no sooner than the threshold of the scene of such conflict was passed than between us it was again "Charley" with me and "Ad" with him, just as it had ever been. We would, arm in arm, possibly, proceed to some near-by

restaurant or to our offices or homes and, instead of a discussion of the case on trial, recurrence would be had to some incident common to both our memories in the early days, which would bring laughter to our lips and joy to both our hearts.

Mr. Speaker, others will, in this as did others in the Chamber at the other end of this Capitol yesterday, dwell upon his colossal intellect, his indomitable courage, his power as an orator, his matchless and marvelous ability as a lawyer and statesman, but I prefer to talk about and remember him as I believe he would have me. He would not have me indulge in fulsome praise, but rather to tell of him as a comrade, confidant, and friend. He was utterly and equally indifferent to praise and adverse criticism, unless the latter approached, in his judgment, the question of honor, of and concerning which he was jealous to a fault.

This trait in his character and his high ideals of patriotism can not be better illustrated than by referring to an incident occurring in the Senate Chamber just after his entrance there, which will fairly illustrate his power of oratory as well.

Under a misapprehension of the purport of some remarks made by a brother Senator, he said:

> I wish to admonish him here and now that, much as he looms up on the horizon of debate, in the Senate, he is no inch taller than I when it comes to the avowal of principles and the right to speak and be heard unchallenged, uncriticized, and undominated by any influence save my own judgment and my own political conscience.

These utterances, delivered in a voice modulated to the exactness of filling that Chamber, with nothing over, was an electric shock as unexpected by his colleagues as to him were the congratulations which they showered upon him.

It may be asked why, endowed as he was, he had never held a political position before his election to the Senate. I am peculiarly qualified to answer such a suggestion. There was never a State election in the last 25 years that he could not have been the standard bearer of his party. Likewise, it is true, he could have come to the Senate 12 years ago, or again 6 years ago, had he so desired, and his acceptance of the senatorship 2 years ago was brought about only by the pressure of his friends. His reticence, modesty, diffidence, or whatever you may call it, marked his own estimate of his strength, and is in contrast with his peerless power when aroused to action. He was at once as docile as a child, courageous as a lion, and as merciful as human nature admitted.

Of all my acquaintances, I never knew one who was not more sensitive to a joke at his own expense. To illustrate: He made an argument in one of the historic cases arising in Colorado and spoke for 15 days. At the end of the fifteenth day his client presented him with a superb gem for a stick pin costing $15,000. He seldom wore it, but whenever I caught him in company with others, pointing to the stick pin he was wearing, I would say: "By the way, Charley, is that the $15,000 pin given you by Mr. Moffit on the fifteenth day of that speech of yours to get you to stop talking?" With a hearty laugh he would proceed to turn the tables on me, to my vanquishment and discomfort.

The evenings we spent together at our hotel, where we occupied adjoining rooms last session, will always be recalled in memory for the enjoyment and profit brought me. We can do nothing further for him, but may his bereaved family and legion of friends feel and know that—

Death is dawn,
The waking from a weary night
Of fevers unto truth and light.

Mr. Taylor of Colorado resumed the chair.

## Address of Mr. Martin, of Colorado

Mr. Speaker: Had Charles J. Hughes, Jr., late a Senator from the State of Colorado, lived the allotted span, he would have written upon the scrolls of Congress a record eulogistic and enduring far beyond my gift of words. I do not know what we would have said of him as finis to the record which he was scarcely permitted to open ere it was closed, but the ever-recurring thought that strikes in me the strongest and deepest chord of feeling is that the passing of this man, at the time and in the circumstances, was a tragedy. His was not the sunset at the evening; it was an eclipse at the zenith. His was not the gleaning of the reaper when the o'erripe grain bends to kiss the sickle; it was the blasting of a field in bloom and rich with the promise of a bursting harvest. He had but stepped upon the stage, and the first lines from his eloquent lips were still music in the ears of an enraptured audience, when the lights darkened, the curtain fell, and only the sweep of a wing was heard upon the air.

Limited, indeed, is the number from out the millions who may attain that exalted station, and some there be who come through great riches, and some there be who come through eminence in unkindred fields, and some there be tossed up here and there in the ever-clashing tides of political life, where heavier men sink; but he came to his own place, with every qualification upon his credentials to mark him a statesman, a Senator of Senators.

My contribution to these memorial services shall be an appreciation, rather than a biography; an index of

the distinguishing attributes of the man rather than a catalogue of things common—and in equal degree—to all men; as that: On this day he was born; on that, married; on another, died. Thus we may come at some just estimate of him, some accounting for his sudden transition from the obscurity of private life to leadership in the United States Senate. By many ways he might have come at the opportunity, but in only one way, that of utter fitness, could he have measured up to its full possibilities.

To say that Mr. HUGHES was the premier of the Rocky Mountain bar is to say that he was a great lawyer, and it was said of him by a distinguished adversary before the Supreme Court of the United States that he was the greatest mining lawyer in the world. And he was equally strong in every branch of his case. He had as clients the mining princes, the empire builders, the conquerors of the West. In many of their vast enterprises he was the legal pathfinder, whose explorations are an imperishable part of the jurisprudence of the West. But, best of all, and as throwing a flood of light upon his human side, he was the son of an able lawyer and his partner and companion; he was the father of able lawyers and their partner and companion. Men from the humbler walks, and many such he numbered among his warmest friends, have expressed surprise that a lawyer whose clientage was a roll call of the big men of the West, and who was himself a man of large affairs, found his chief pleasure in just sitting down and talking to them; in letting the outer office wait upon an hour of story telling and reminiscence and of intimate companionship. Let them read the explanation in the above brief mention of his family ties.

CHARLES J. HUGHES, Jr., was endowed with a mind that entered him in the race of life abreast of the fleetest, and which, given character, assured endurance to every goal.

His was a brain of exceptional power and capacity, and his mental processes were lucid, logical, and exact, cutting true as a diamond, leaving neither chip nor flaw. With him, thinking was so nearly an exact science that he stripped the issue consecutively and in all its aspects from premise to conclusion. To borrow a mechanical phrase, his mind was singularly true, but with a breadth of vision which enabled him to see the situation as a whole and in all its parts and relations, as a general might see from an eminence the true proportions of the battle and all his forces in action. I believe it can be truthfully said of Mr. Hughes that no opponent ever hoped to win from him by defect in his plans or failure in their execution.

The logic of his thought was complemented by a felicity of expression which gave the impression of utmost ease. Slurring or inexact terms were never the vehicle of his thought, and the facility with which he unfailingly fitted the word to the idea marked him as a master of diction. The very simplicity of his style robbed it of the appearance of laborious effort, and made the observer feel that he, too, bore within him the powers of great accomplishment, similarly as one is impressed by the movements of perfect physical performance.

This master mind had as handmaiden a marvelous memory. Often, for a moment, have I divided attention to his narrative with speculation that a brain so charged with events should be such a storehouse of incidents. Once during a stormy factional State convention, and after the leaders in the struggle had spoken, he was called from his private affairs to appear and speak to the issue. Such a call under such conditions seemed impossible of creditable response, but the man appeared and reviewed, in order, the history of the warring factions, which in many essentials had been forgotten, at least for the

moment, by the very men who had part in them. Never himself a candidate for office until he was elected to the Senate a brief two years agone, he could have written from memory the political history of Colorado. And its legal history. And its general history. And a wealth of anecdote of the men who made all these histories.

And this leads naturally to the most unusual side of this many-sided man. It leads to the reason why a man who had never held office, had never been officially concerned in public affairs, either State or national, could step into the Senate of the United States and at the first essay take rank with the leaders in that great forum. Mr. HUGHES had a grasp of political issues and a forte for public affairs rarely found in a lawyer of such ability, so closely devoted to his profession. Often great lawyers, after rising to professional eminence, enter the Senate only to find themselves junior in legislative capacity and influence to lesser men.

But Mr. HUGHES possessed a variety of interest, fed by his omnivorous mind with a range of information, which kept him fully abreast of every public question. He knew labor and capital; he knew law and politics; he knew men and things as do few lawyers cloistered with their books and briefs. For 30 years he made them all a part of his daily routine, and amid them all he worked as a giant building a world about himself, yet always with vision fixed firmly but modestly upon the high goal of his life's ambition and the crowning scene-to-be of his life's activities.

This is the reason that Mr. HUGHES, at his first session in the Senate, could deliver a speech showing conclusively that no income-tax statute can be devised by Congress which will meet the objections of the Supreme Court of the United States in its last decision upon that great question, and that only by a reversal of that deci-

sion or by constitutional amendment can that great issue ever be affirmatively settled.

This is the reason he could deliver a speech on conservation which is a textbook on the rights of the State to the care and administration of its natural resources.

This is the reason he could discuss with seasoned Senate students the problems of interstate commerce, an issue second neither to trusts nor tariff.

This is the reason he could break a lance with the most skilled swordsman in debate and be hailed at his first adventure in the lists as another Richmond in the forensic field.

Having said this much of him, one might conclude that this makes the full measure of a most able man; but his chief characteristic would be left unsaid. If genius be a capacity for hard work, then, indeed, was Mr. Hughes a genius. His adversary was beaten at the outset, for soon the night and rest came and in the morning his works were taken. Others, tiring, might lay aside their tools and rest or play, but he, with ceaseless energy, toiled on and on and on. And this was his great fault. He wrought mightily, working his life fiber into the weave, and fell exhausted upon the loom while yet the pattern in the weaver's mind was but hinting its true proportions.

And this is the pathos of his untimely passing. He entered his first big case at the foot of the list of counsel and emerged at the head. He would have been no more content with a minor rôle in the United States Senate. He had the ambition and the ability to win its loftiest honors. He came to the Senate with an equipment that made him at once the peer of its ablest men, and his recognition was instant. He came from a great new section of the Republic, presenting great new problems for solution, bringing with him full knowledge of all the conditions involved, to make him an invaluable factor in

their working out—in itself a vast field for statesmanship; yet had already given earnest that he was a thinker in national terms, with a ready grasp of the older problems of the older sections. His loss, therefore, is not sectional but national.

A great lawyer, an eloquent orator, a skilled debater, a clear thinker, an avid student, a tireless worker, a man whose experience ran as a river through the birth and growth of a new civilization; such was Colorado's gifted son; such the endowment he brought to the seats of the fathers; such the grievous measure of our loss.

Death takes us by surprise,
And stays our hurrying feet;
The great design unfinished lies,
Our lives are incomplete.

## Address of Mr. Clayton, of Alabama

Mr. Speaker: My first association with Charles J. Hughes, Jr., was in the month of July, 1908, when the national convention of the Democratic Party was held in the city of Denver, to which convention we were both delegates. Then it was that I came to know him as a potential man, as a leading citizen of the Centennial State, as a sound Democrat, and an accomplished lawyer. Then it was I learned the estimate put upon him by his neighbors, by the Democrats of his State, and by the members of the legal profession. He was conspicuously a man of affairs and was renowned in his profession. He was esteemed most highly as one of the guiding forces of his beloved Commonwealth. Indeed, Mr. Speaker, my first impressions of him, derived from personal observation as well as from what I heard uttered by those who had known him long, was most favorable. No man could have so much as looked into the face of this man, whose untimely death we now deplore, without having become sensible of his fine character, his courage, and his rich intellectual endowments. His every physical feature bore abundant evidence of these possessions and gifts. It is equally true that no man could have spent much time in conversation with him without having realized that his information was extensive and that his attainments were broad and also unusually accurate. No lawyer could have discussed any legal question with him without consciously or unconsciously having become an admirer of his natural and acquired ability, his mental acumen, and his unsurpassed power of analysis. My

association with him, the estimate of him by his brethren, and his success at the bar lead me to justly pay him, from the standpoint of a lawyer, the highest tribute—he was a great lawyer.

The study and practice of the law perhaps gives to the man of ability and large experience a greater opportunity for the development of the reasoning faculties and the power of concise, accurate, and logical, and, withal, comprehensive statement than that afforded by any other vocation. And this is so because the lawyer of ability and large affairs must constantly in his career meet learned antagonists who are acquainted with every weapon that may be employed in intellectual combat; and to succeed in any contest he must meet the thrusts, he must measure up to the skill of the experienced gladiator, and, finally, in any case, he must persuade the court to believe in the correctness of his contention, or else instead of becoming the victor he will be the vanquished. The whole field of ratiocination is his, and in every conflict of opinion and argument he must employ learning, analysis, and logic. It may, therefore, be said that the practice of the law is essentially intellectual warfare—offensive when assailing the position of a brother lawyer, defensive when maintaining the soundness of a proposition. It was true in Lord Coke's day and is true now, that—

> Reason is the life of the law; nay, the common law itself is nothing else but reason. * * * The law, which is the perfection of reason.

The pulpit affords a great field for culture, for reasoning, and for eloquence, but the battles fought by the pulpiteer generally are one-sided; that is to say, without the opposing force of any attending disputant. The scholar may comprehend within the range of his mental vision

the contributions that human effort has given to the world, and yet he may never have enjoyed a real intellectual conflict. The scientist may make a startling discovery or give a wonderful demonstration of some natural phenomenon and still not possess that development of the reasoning power which can come alone from fierce trial. The accomplished essayist may coin his thoughts into golden expression or may forcibly urge his conclusions. He may be accurate, he may be ready, but he has not experienced that larger growth which comes to the great debater when he fights his enemy face to face in the open forum. Trial and struggle make the mental as well as the physical athlete. This is the law of development.

Doubtless the lawmaking power is the greatest function of government. Law is the guiding and constraining force of organized society and must ever excite and demand the serious consideration of great and ambitious men and win to its advocacy those who love to exercise the reasoning facultics in behalf of right and justice amongst mankind. The profession which especially champions the cause of law must ever remain a necessary adjunct to the appeal to law, to the practical application of law, and the exemplification of the beneficence of law.

In our own country, where we have a government of laws and not of men, it is essential that there be always men learned in the law, who can expound the law, maintain its righteousness, secure its triumph in a contest, and achieve its vindication whenever it is violated. This high appreciation of the responsibility of the lawyer is evident everywhere in our jurisprudence and in the history of that jurisprudence. The law itself requires as a prerequisite to the pursuit of that profession an oath prescribing the duties of the lawyer—such an oath as is exacted of no man in any other secular or nonofficial pursuit.

There is a characteristic liberality in the legal profession that obtains in respect to no other profession, and this fact tends to broaden the intellectuality of its devotees. In the great calling of the ministry it is frequently the case that those dedicated to that great work are supersensitive of criticism. They are sometimes bitter against their brethren who entertain diverse views on theological subjects. In the great profession of medicine it is said, perhaps truly but tritely, that many of the mistakes of that profession are buried without the knowledge of the living.

But the lawyer can not escape the penalty that he must pay for ignorance, for lack of diligence, or of learning. More than the practitioner in any other profession, the lawyer is himself constantly undergoing trial. No man ever appeared before a judge or a jury in the capacity of a lawyer where he himself in some sort did not undergo trial. What are his attainments, what is his knowledge, what is his ability, what are his powers of persuasion? Has he laid down the law, has he argued the proposition well and truthfully? Has he persuaded the jury or the court as to the correctness of his contention? While he tries a case, inseparably in trying that case the court, or the jury, or the court and the jury, necessarily try the effort at least of the lawyer.

The distinguished lawyer and statesman, the Hon. Chauncey M. Depew, of New York, has well observed that—

> While very proud of his profession, the lawyer is less sensitive to criticism than clergymen, doctors, or journalists. They resent attacks; he laughs at them. He stands sure, secure, and serene upon the firm foundations of laws which govern both States and individuals, which safeguard rights, redress wrongs, administer justice, and preserve civilization.
>
> Law is a jealous mistress, and yet great lawyers have found rest and recreation in literature. They have risen from the dry

and exacting labors of the office or the court to give fancy and imagination an excursion into the realms of fiction and poetry. The accuracy of their training lends wonderful finish to essay, story, or verse, or sharper sting to satire. The best poetry upon law and lawyers, either of praise or blame, has been written by lawyers.

Mr. Speaker, the legal profession sometimes divides lawyers into two general classes—the case lawyer and the lawyer who is more than a case lawyer, the lawyer who deals more essentially in the conduct of all legal controversies with the principles of the law, who values the principles of the great science more than he does mere precedents or kindred cases. I do not believe, Mr. Speaker, that there ever was a great case lawyer unless the lawyer was first thorough in his understanding of the principles of the law. This lawyer, Mr. Hughes, had mastered the learning in the hornbooks. He knew a legal proposition when stated to him, for he understood the law as a science, as the application of the principles of human reasoning and right to civilized government, in the administration of justice under the various questions of dispute that arise in our society. He was grounded in the profession of the law, and therefore it was easy for him to master cases; it was easy for him to excel as a lawyer.

It may not be too much to say of him that he had more to do with making the mining and irrigation laws of our country than any other lawyer. This class of our jurisprudence is, in some respects, a modern development, peculiar to the American Continent. Mining law now is a vast branch of our law, and in the great western portion of our country perhaps not second in importance to any other branch; and coupled with it in importance in the arid States is another branch of newly developed law, our irrigation law. I do not mean to say, Mr. Speaker, that

Senator HUGHES was very largely responsible directly for the mere statutory law relating to mining or to irrigation. But in construing statutory laws relating to mining and irrigation, and in having those statutes correctly interpreted, so that they could be rightly administered, so that they could be remedied wherein defective, he has made rich contributions.

From the beginning of his professional life in Colorado, while he was engaged in the general practice of the law, he gave especial attention to mining and irrigation law and became the leading expert at the bar on these two subjects in our jurisprudence. He was honored with an invitation to deliver, and did deliver, a remarkably instructive and learned address on the evolution of mining law before the American Bar Association at Denver in 1901. He delivered courses of lectures upon mining and irrigation law at the Harvard Law School. He was for many years a lecturer upon mining law in the University of Denver.

So, Mr. Speaker, we are authorized to say from the estimates put upon him by his professional brethren, from his success at the bar, through the illuminating learning that he spread upon pages of court reports, from the fact that he achieved a fortune as a result of the practice of the law, from the fact that he was so long a distinguished lecturer upon legal topics, that it is not the language of exaggeration to declare he deserves to be ranked as a great lawyer.

His political career was successful. In 1908 he was nominated for the position of United States Senator to succeed Mr. Teller, a distinguished and useful statesman, upon his voluntary retirement to private life, and was elected by the legislature the following January, having received the unanimous vote of the Democratic senators and representatives, numbering 73 out of a total mem-

bership of 100. In two preceding Democratic State conventions he had been tendered the nomination for governor of Colorado, but he declined. The pages of the Congressional Record are adorned for the time of his brief service here by his learning and his masterful skill as a debater.

No man, Mr. Speaker, can perhaps overstate what would have been the greater usefulness and renown of Senator Hughes as a legislator had he been permitted to live. He came to that body, the Senate of the United States, well equipped as a lawyer, a ready and an experienced debater, and a fearless advocate of what he believed to be right. His career was ended in the midst of his prime. His State suffers from and mourns his loss. Those who served with him in Congress deeply regret his death. We may sum up his career, his life, by saying that he was always the upright citizen, the loyal Democrat, a lawyer of profound learning, of intellectual integrity, of ability unsurpassed. He was, moreover, an accomplished and wise statesman, a patriot, and a useful man in all his relations of life. He has gone to that reward that must come to all just men who have lived in the fear and love of God and in the high service of humanity. Of him we can say:

No room was left for hope or fear,
Of more or less; so high, so great
His growth was, yet so safe his seat.
Safe in the circle of his friends;
Safe in his loyal heart and ends;
Safe in his native, valiant spirit;
By favor safe, and safe by merit.

## Address of Mr. Clark, of Missouri

Mr. Speaker: Missouri was settled principally by Virginians, Kentuckians, North Carolinians, and Tennesseeans, together with a sprinkling of the elite from every State in the Union and from every civilized country in the world. The Missourians, in turn, have been the chief factor in the settlement and building up of the States and Territories to the westward, even to the golden shores of the Pacific.

The great influence of Missouri in the affairs of the newer States of the far West is evidenced by the fact that during the last two years the governor of Colorado, Hon. John F. Shafroth; one of her two United States Senators, Hon. Charles James Hughes, and two of her three Representatives in Congress, Hon. John A. Martin and Hon. A. W. Rucker, have been Missourians. In addition to them, Judge S. Harris White, of the Colorado supreme court, and Hon. Robert E. Lewis, of the United States district court of Colorado, are also Missourians.

If Virginia is justly entitled to be called "The Mother of Presidents," Missouri is as justly entitled to the sobriquet of "The Mother of States and Statesmen."

Within the last few weeks two Missourians have died while holding seats in the Senate of the United States, though neither of them represented Missouri in that august body—Stephen Benton Elkins, of West Virginia, and Charles James Hughes, of Colorado. Consequently Missouri mourns with the Centennial State in the loss of her distinguished son. The Hugheses were among the pioneers in both Missouri and Colorado, and stood high

in both those magnificent Commonwealths. They were and are capable, honest, industrious, thrifty, and patriotic men and women, discharging with ability, courage, and fidelity the onerous and important duties of American citizenship in every station in which they have found themselves in peace or in war.

When elected to the Senate Mr. HUGHES enjoyed a very high standing at the bar of Colorado, which from the beginning has been celebrated for the capacity, brilliancy, learning, and eloquence of its members. His practice was exceedingly lucrative. Colorado presents as rich and varied a field for the lawyer as does any other State in the Union. While ranking high as a general practitioner, Senator HUGHES became a specialist in mining and irrigation litigation. In these he laid the foundation of both fame and fortune.

He was a Democrat and a vigorous partisan always. During his whole life he took an interest in politics as every citizen owes it to his country to do. He was a candidate for presidential elector in 1888, 1900, and 1904, being elected in 1900 and defeated in 1888 and 1904. He was a delegate to the Democratic national conventions of 1904 and 1908. In 1904 and 1906 he was tendered the Democratic nomination for governor, which he declined. He was unanimously nominated by the Democrats of Colorado in convention assembled in 1908 as the successor to the venerable Henry M. Teller in the Senate of the United States, to which body he was duly elected by the legislature in January, 1909, receiving every Democratic vote, and was sworn in as a Member of the House of the conscript fathers March 4, 1909. A consideration of the nominations which he accepted and those which he declined leads one not very familiar with his mental processes to conclude that he really had little desire for public office, and was a candidate sometimes from a

sense of duty or party fealty when he knew the chances were against his election.

When elected to the Senate he relinquished a law practice worth many times the salary of a Senator, which more than anything else perhaps demonstrates his patriotic purpose. It is a commendable act, somewhat too rare in this country, when a man successful at the bar or in some other wholesome field of human endeavor, having amassed a competency, is willing to give over money-making in order to serve his country, which is worthy of the best service of all her sons, from the poorest to the richest, from the lowest to the highest.

Senator HUGHES paid little attention to the rule, now honored more in the breach than in the observance, that new Senators, like children, should be seen and not heard. He chose the better part, the more sensible part, and dipped into the debates whenever he thought proper; and it is simple truth to say that he held his own with the best of his fellows. No one seemed to deem his early participation in debate as improper, for he brought with him to the Capitol the reputation of being one of the ripest lawyers and most successful advocates in the trans-Mississippi region. So from the very first he held a commanding position in the Senate and had the ear of the country.

Upon his entrance into the Senate he was 56 years of age, right in the prime of his powers and apparently destined for a long and splendid career. The high hopes of himself and his friends were blasted by his early and untimely death, which is a real loss to his State and to the country. The unusual success which he achieved in his two years of service in the Senate will forever remain as proof of what he might have accomplished had his senatorial career been prolonged through many years.

## Address of Mr. Alexander, of Missouri

Mr. Speaker: As is well known the late Senator Charles J. Hughes, Jr., junior Senator from the State of Colorado, was born in Missouri. The county in which he was born and the county in which he was raised are both in my congressional district, and for many years as judge of the seventh judicial circuit of Missouri I held court in Kingston, the county seat of Caldwell County, where he was born, and in Richmond, the county seat of Ray County, where he grew to manhood and lived until he went to the city of Denver, in Colorado, where he resided up to the time of his death. My acquaintance with Senator Hughes was not very intimate. I never met him more than once or twice prior to his removal to Denver, and it was on those occasions in Richmond, Mo. The fact that he was raised in the fine old town of Richmond, and that my wife was born there, and he and my wife were of kin, and that their parents and kindred were among the old residents in Richmond and Ray Counties, drew me to him and caused me to watch his career with more than ordinary interest. I feel that I would fail in a duty to the splendid constituency I have the honor to represent in this distinguished body if I did not say a word by way of tribute to the memory of one of their most distinguished sons.

Charles J. Hughes, Jr., was born in Kingston, Mo., on the 16th day of February, 1853. He was the son of the late Judge Charles J. Hughes, who was for many years judge of the probate and county courts of Ray County.

His mother, Mrs. Serena Hughes, is still living, and her home is in Richmond, Mo. Senator HUGHES's father, with his family, removed from Kingston to Richmond in 1863. He graduated from Richmond College in 1872, and from the law department of the Missouri State University in 1873, and was enrolled as an attorney and counselor at law in the circuit court of Ray County September 6, 1873, Hon. Philander Lucas being judge of the court; James L. Farris, prosecuting attorney; John C. Brown, sheriff; and John H. Harmony, clerk. James W. Ganner, now a prominent lawyer in Kansas City, and James Lane Allen, the author, were college friends of Senator HUGHES.

The Richmond bar at that time was composed of many lawyers of great learning and ability in their profession. Gen. A. W. Donophan, Missouri's hero of the Mexican War, and a distinguished soldier, lawyer, and statesman; Judge George W. Dunn, for a great many years circuit judge, and greatly beloved by the people; C. T. Garner, sr., for a generation one of the leaders, if not the leader, of the Richmond bar; James L. Farris, sr., a member of the constitutional convention of 1875, and a member of the General Assembly of Missouri for several terms, and regarded as one of the ablest lawyers and most brilliant advocates at the bar in Missouri; John W. Shotwell, David P. Witmer, William A. Donaldson, Joseph E. Black, sr., and James W. Black, sr., both of whom were men of great legal learning; Nathaniel Bannister, Elijah G. Esteb, Andrew J. Riffe, Charles J. Hughes, sr., father of Senator HUGHES, and James W. Ganner, now and for many years past one of the prominent lawyers of Kansas City, Mo., were all members of the Richmond bar, and most of them in the actual practice of their profession, and the outlook for a young and aspiring lawyer in a community where the older members of the

profession were so firmly entrenched in the confidence and esteem of the people was not at all inviting.

Senator HUGHES married Miss Lucy L. Menefee, one of Richmond's fairest daughters, September 1, 1874, and his wife and four children survive him.

Through Thomas N. Lovelock and James L. Farris, jr., both now and for many years leading members of the Richmond bar, as well as the Conservator and Missourian, published in that city, I have gathered a few of the facts relating to the life of Senator HUGHES while he was a resident of Richmond.

Mr. Farris says of him:

> My first recollection of Senator HUGHES dates from about 1875. He was then professor of mathematics and science in the public schools of Richmond, where he had been a teacher for some time and where he continued to teach until 1878. The last two years he taught here I recited some lessons to him. He was earnest and zealous in his work; he had charge of our debating society and was tireless in our behalf.

In June, 1878, part of Ray County was swept by a terrible cyclone. It plowed its way through the town of Richmond, destroying much property. Several people were killed and many injured. Mr. Farris says:

> On that day Mr. HUGHES, his wife, and their children were on their way to Camden, 6 miles distant from Richmond, and were overtaken by the cyclone, the most terrible that ever passed over the county.
>
> He suffered a broken leg. I arrived on the scene a few minutes after the storm passed and was struck by his manly bearing and stoic attitude. He and his company were spattered with mud, his leg broken and the bone exposed; the vehicle torn to pieces and scattered about, one of the mules killed, the other badly crippled. Almost miraculously his family had escaped injury. He was suffering intensely. A party rode up hurriedly and handed him a bottle of whisky with request for him to drink to deaden the pain, but he quietly remarked "Throw it away."

While he was on crutches he made the race for prosecuting attorney for Ray County against James W. Garner and was beaten by a few votes.

Soon afterwards Senator HUGHES moved to Denver and formed a partnership with Gen. Bela Hughes. In Richmond his life was pure and marked by indefatigable energy.

He loved books and was a great student. As a teacher, Mr. Farris says of him:

> At school he was as exacting of his relative's children and the children of the directors as of the humblest. He knew nor showed any favoritism.
>
> His exactions, however, were neither captious nor foolish, but inspired by an exalted purpose to get the best out of his pupils that was in them. His reputation as a school-teacher in our community was that of an "Abelard," whose name, I believe, stands for all scholastic graces.

Senator HUGHES did not practice law in Richmond long, and his practice was limited, but through the period intervening between his admission to the bar in 1873 and his removal to Denver in 1879 he was laying the foundation broad and deep for that splendid success at the bar which then began and steadily increased throughout his career at the Denver bar.

His career since going to Colorado will be eloquently portrayed by his distinguished colleagues from that State in this body and in the Senate, while his brief but brilliant career in the Senate of the United States will no doubt receive that meed of high praise which it merits from his colleagues in that body.

It is with the deepest satisfaction and pride that Senator HUGHES's relatives and friends in Missouri noted such encomiums on the life and character of Senator HUGHES as were pronounced by distinguished citizens of Denver

and published in the Denver press on the morning following his death.

Gov. Shafroth, a former Missourian, paid him the following eloquent tribute:

He was one of the strongest men mentally we have ever had in Colorado. He was especially well equipped for legislative work in the United States Senate because of the long training he had had in the study of laws and their interpretation.

Senator Hughes was, in my judgment, the strongest lawyer in the State of Colorado. I had watched him try cases and had found in him a persistence in forcing his points and in clearly arguing the same that indicated great depth of learning and a knowledge of elementary principles so valuable to a lawyer in the trial of cases.

None ever has even suggested that Senator Hughes was not the soul of honor in the trial of cases and in all his relations in life. Had he lived he would have been one of the strongest and ablest Senators in the United States Senate.

Former Gov. Alva Adams said of him:

It is a calamity to the State of Colorado. Senator Hughes was one of the greatest lawyers the State has ever produced, and he was a statesman of the highest rank. His death is an occasion for public mourning. Senator Hughes was a highly educated, polished statesman, who was a credit to the great Commonwealth which he represented in the United States Senate.

Senator W. H. Adams, president pro tempore of the State senate, said:

The death of Senator Hughes is a serious loss to Democracy in this State and a great blow to every citizen of Colorado. He was one of the ablest of a long line of distinguished men who have represented Colorado in the upper hall of Congress. Senator Hughes was a man of brains. He was capable wherever placed. As a lawyer he had no superior in Colorado and as a statesman showed his ability during his brief career in Washington. He was a tireless worker and a man deeply interested in the welfare of this State. His death marks the passing of a truly great man.

George McLachlan, speaker of the house of representatives, said:

Senator HUGHES was a man of whom this State justly was proud. Colorado has sent many able men to the United States Senate, but none abler than he. He was a lawyer of the greatest ability. Colorado will mourn him, and his name will be written on the pages of the history of the State's development.

Cassius F. Clay, chairman of the Republican county central committee, said:

I knew Senator HUGHES very well. His death is an immense loss. His remarkable ability and personality was destined to make him one of the most prominent political figures in the Democratic Party. He was a hard worker, aggressive, and wrapped up in his profession. He never aspired to any political office until the Senatorship arose. He already had a name for himself by his able work in the Senate.

Chief Justice John Campbell, of the supreme court of Colorado, was informed of the death of Senator HUGHES a few minutes before he left the statehouse for his home. He was a close personal friend of the Senator, and the news of his death was a distinct shock. He said:

I knew, as did everybody else, that the Senator was very low, but I did not dream that his condition was so critical. I can not adequately express the grief that I feel. The loss of Senator HUGHES to Colorado, as well as the Nation, will be keenly felt. Senator HUGHES was one of the ablest lawyers that I ever have known. He was a man who, had he lived, would have been a leader in the Senate. His death will be felt nation-wide.

Dr. F. L. Bartlett, president of the chamber of commerce, said:

We have called a meeting of the board of directors for 4 o'clock to-morrow afternoon to take formal action on the death of Senator HUGHES. We all feel badly over his death. He was a good man and one of ability. He always had the best interests of Colorado at heart. It will be difficult to find anyone who was as loyal to the best interests of the State.

Thomas Keeley, vice president of the First National Bank, said:

We are all deeply grieved to hear of Senator Hughes's death. We had hoped that rest and absence from cares might restore him to health and strength. Mr. Hughes was one of the finest men I ever knew. He was a man of great will and brain power and one who always gave his individual attention to anything intrusted to his legal advice. He always had a pleasant word for everyone and it was a pleasure to visit his office. Intellectually, I think he was one of the biggest men we ever had in this community. He could see through a case clearer and quicker than most business men and always exercised good judgment. We have always been very close to him, and mourn his loss more than any other institution or individuals in the city, excepting his own family. I consider his death a great blow to the growth and future development of the city. It will be a long time before we can get another to take his place.

United States District Attorney Thomas Ward, jr., said:

I had known Senator Hughes since 1883. His family and mine were Missourians and acquainted long before coming to Colorado. I regarded him as the best lawyer in the State. He was a great lawyer in every respect, the ideal citizen, just and lovable, and his loss to Colorado is incalculable.

I firmly believe that he was destined to shine as one of the Nation's foremost statesmen, and had he lived there is no limit to his achievements along the lines of constitutional statesmanship. His loss is more than local—it is national.

Mayor Speer, of Denver, said of him:

The death of Senator Hughes is a serious loss not only to Colorado but to the Nation. He was possessed of a remarkable mind and of the loftiest integrity. He had just entered upon a career in the United States Senate during which, even the brief time he had served, he had won the admiration and respect of the Nation and had aroused the greatest pride of his constituency. The Nation has lost a Senator in Congress and our State a citizen whose place can not be filled.

Many more testimonials from men in all the walks of life, from the President of the United States to the humblest citizen, might be added to these showing the high esteem in which Senator Hughes was held by his fellow countrymen. Other men gifted and capable, and who have had the better opportunity to form a just estimate of his talents and ability, will no doubt do full justice to his memory.

It is a matter of profound regret that he should be cut down at the time when just entering on a career of the largest usefulness to his State and to the Nation. But his untimely death is only another of the inscrutable tragedies of this life.

Though dead, yet we believe he has entered upon a higher life, that those noble qualities of mind and heart wrought out by long years of labor and pain and struggle here have fitted him for the companionship of that illustrious company whose pure lives and great achievements have adorned the pages of history.

Said Victor Hugo, in answer to the question, "Shall we live again?"

I feel in myself the future life. I am a forest once cut down; the new shoots are stronger and livelier than ever. I am rising, I know, toward the sky. The sunshine is on my head. The earth gives me its generous sap, but heaven lights me with unknown worlds.

You say the soul is nothing but the resultant of bodily powers. Why, then, is my soul more luminous when my bodily powers begin to fail?

Winter is on my head but eternal spring is in my heart. I breathe at this hour the fragrance of the lilacs, the violets, and roses as at 20 years. The nearer I approach the end the plainer I hear around me the immortal symphonies of the worlds which invite me. It is marvelous yet simple. It is a fairy tale and it is history.

For half a century I have been writing my thoughts in prose and in verse; history, philosophy, drama, romance, tradition,

satire, ode, and song; I have tried all. But I feel that I have not said the thousandth part of what is in me. When I go down to the grave I can say, like many others, "I have finished my day's work." But I can not say I have finished my life. My day's work will begin again the next morning. The tomb is not a blind alley, it is a thoroughfare. It closes on the twilight, it opens on the dawn.

May we not cherish the hope that Charles J. Hughes, Jr., having fully met and discharged the duties and obligations of this life, whether as son, husband, parent, friend, citizen, patriot, or statesman, only finished his day's work here on Wednesday, January 11, 1911, and that his day's work began again the next morning in another world, freed from the limitations and disappointments and sorrows of this life.

## Address of Mr. Smith, of Iowa

Mr. Speaker: It is not for me to go into the history of Senator Hughes and his public service; neither shall I enter into any detailed analysis of his talents or characteristics. These subjects are properly left to the Representatives of those States, one of which was honored by giving him birth and the other of which was honored by granting him his commission to the Senate. I shall content myself with a few words in reference to him as a lawyer as I saw him and as my personal friend.

I first met him about 10 years ago, when we were arrayed in a professional capacity on opposite sides in the courtroom. We sat on opposite sides of the trial table in the aggregate for about six months during a period of about nine years. I saw him in action and learned how great a lawyer he was. Always courteous, but incisive, almost matchless in clearness of perception and powers of analysis, with tremendous industry and wonderful memory, I have never met another so formidable adversary. His mind seemed to photograph every word of the evidence in a long trial, and woe betide that witness who in the course of years varied his testimony by a hair's breadth! He was a masterly cross-examiner and, as all such must be, a great judge of human nature.

The great West is proud of many of its lawyers and deems them fit to contend with the best lawyers of the older and more cultured East; and this man had no superior in his profession and few, if any, equals in all the lands beyond the Mississippi.

Reference has been made this afternoon to the fact that by his profession he had acquired wealth, and it seems

to me proper to suggest at this time that the fact that a candidate for public office is possessed of wealth is no objection to his selection provided he would be selected if he were not wealthy.

The only criticism that is just is when, as in many instances, a man of wealth is chosen to a great public office who would not be considered for that office if it were not for his wealth.

Senator Hughes was too industrious. I sometimes think that the human family is made up almost wholly of those who work too much and of those who refuse to work enough. Almost none are wise enough to work as they should. Senator Hughes undoubtedly worked too much and thereby brought on his untimely death.

He was affable, genial, generous, dignified, and self-contained. He was a good and loyal friend. During all the past 10 years he was my friend, and it was with deep regret I heard of his serious illness and with sincere sorrow that I learned of his untimely death.

The Speaker pro tempore. In accordance with the resolutions adopted, and as a further mark of respect to the deceased Senator and Representative, the House stands adjourned until to-morrow.

Accordingly (at 3 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Monday, February 13, at 12 o'clock noon.

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